

## TEXAS.

Mrs. Ross Manning to be postmaster at Madisonville, Tex., in place of C. J. Davis, resigned.

## WEST VIRGINIA.

Ida J. Garrison to be postmaster at Lost Creek, W. Va. Office became presidential January 1, 1916.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate January 25, 1916.*

## UNITED STATES ATTORNEY.

Charles R. Williams to be United States attorney, district of the Canal Zone.

## POSTMASTERS.

## ALABAMA.

Robert M. Rawls, Athens.

## GEORGIA.

R. P. Hicks, Wrightsville.

Albert C. Sweat, Nashville.

## MASSACHUSETTS.

John A. Bell, Leicester.

Perry F. Brown, Northampton.

James F. Carens, Newburyport.

Arthur J. Coughlan, Maynard.

Edmund Daly, Hingham.

Joseph F. Murrman, Clinton.

William W. McLehose, Norton.

Thomas F. Meehan, Orange.

John P. O'Connor, Palmer.

Thomas A. O'Connor, North Easton.

Dennis T. Shea, North Scituate.

James E. Sullivan, Gilbertville.

William F. White, Mansfield.

## NEW JERSEY.

John F. Sinnott, Newark.

## NEW MEXICO.

Arthur F. Jones, Portales.

Edgar Savage, Elida.

## NEW YORK.

Frank C. Sweeny, Valhalla.

Isaac W. Turner, Mount Kisco.

## OHIO.

Frederick B. Mowery, Kingston.

## OKLAHOMA.

John R. Reynolds, Hastings.

## SOUTH CAROLINA.

Benjamin H. Massey, Fort Mill.

Oecil S. Rice, Denmark.

## WITHDRAWAL.

*Executive nomination withdrawn January 25, 1916.*

F. H. Soll to be postmaster at Elkader, Iowa.

## HOUSE OF REPRESENTATIVES.

TUESDAY, January 25, 1916.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

With gratitude welling up in our hearts to Thee, O God our Father, for the gift of life and the splendid opportunities to grow and expand it to full and symmetrical proportions "till we all come unto the measure of the stature of the fullness of Christ," we come to Thee for wisdom, strength, and courage, that we may meet the responsibilities of to-day, for it will pass and come no more again. In service to our fellow men is life and liberty, joy and happiness. A generous thought, a kind word, a helping hand is ours to give. "Let us not be weary in well-doing, for in due season we shall reap if we faint not. As we have therefore opportunity, let us do good unto all men," and pass on our way in faith, hope, and love. For Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

## EXTENSION OF REMARKS.

Mr. ADAMSON. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Georgia rise?

Mr. ADAMSON. To make a request for unanimous consent. My colleague, the gentleman from Georgia [Mr. EDWARDS], delivered an address at the dedication of a monument erected by an appropriation made by Congress, under the auspices and direction of the Fine Arts Commission, and I request unanimous consent to extend my remarks by printing that address in the RECORD.

The SPEAKER. The gentleman from Georgia [Mr. ADAMSON] asks unanimous consent to extend his remarks in the RECORD by printing a speech made by his colleague [Mr. EDWARDS] at a monument dedication. Is there objection? [After a pause.] The Chair hears none.

Mr. PARK. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. PARK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the road bill.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD on the subject of roads. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of rivers.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD on the subject of rivers. Is there objection? [After a pause.] The Chair hears none.

## THE COMMON DEFENSE.

The SPEAKER. Under the special order of the House the gentleman from Illinois [Mr. MANN] is recognized for 20 minutes. [Applause.]

Mr. MANN. Mr. Speaker, in the quietude of my garden last summer and autumn I reached certain conclusions which I have hesitated to express, thinking that I might modify them. But as time has gone on and events have occurred, it has seemed to me even more certain that my conclusions were right than when I first reached them; and I think, in justice to myself and, I hope, with some slight benefit to the country, I ought to express those conclusions to the House.

It is well known in the House that I never have been a believer in a large standing Army, and I suppose that probably I have been properly classed among those who are sometimes referred to as the "little-navy men." But wise men ought to be able to peer, maybe indistinctly, into the future and to prepare to-day for what may come to-morrow. The world is in the most anomalous condition which mankind has ever seen. The greatest struggle of all the ages is going on now between the most powerful forces of the human race, between great nations and combinations of nations, until we are the only large, powerful nation not yet involved in that struggle. It is a break-up in the world, each side fighting not merely for its own existence, as it believes, but, as it seems to me, each side fighting with the determination to put the other side, as it were, out of business. We have never had such a thing in the world before, with the same powerful influences at work.

The laws of civilization, international laws, the laws of humanity, are usually disregarded, at least more or less, when two great forces are fighting for mastery. When two men are fighting, each believing that he is fighting for his life, each determined to take the life of the other, neither one pays much attention to the desires, the requests, or the demands of some less powerful person not engaged in the conflict.

I do not know, and no one knows, what will result from the present war. No one knows whether the aggression on either side against our interests may possibly, against our desires and contrary to our wishes, finally lead us, perhaps not into this struggle, but into some struggle which is the outcome of this one. I doubt whether a paper peace between the two struggling parties now, even if it could be entered into, would be even the beginning of the end. I think the present conflict is liable and likely to last for many years before it is definitely determined either that one or the other is the master or that neither can become the master. And it seems to me that the part of wisdom for us is to prepare ourselves fairly for any possible trouble that may come. [Loud applause.]

It may be that we will have no trouble. I hope we may not. In this war I am neutral. I think we ought to maintain peace

at all hazards. And yet the time may come when we shall not have the determination whether we can maintain peace or not, because, however much we may desire peace, it is not within our power, with the feelings which we have, to stand aggression too far.

It will be expensive to prepare for peace. Two years ago a billion dollars seemed a very large sum of money. No one would have believed two years ago that either England or Germany could carry on a war at the expense already involved, amounting to billions of dollars, where the interest on the indebtedness is sufficient to carry on the ordinary governmental work. And the end of that indebtedness is not in sight. What may come out of such immense burdens of debt in these countries, even when peace may be declared, no one can tell. Revolutions are not improbable, and revolutions in the history of the world have usually led to aggression and disputes and often to war with other countries. We can better afford to-day to spend hundreds of millions of dollars or a few billions of dollars in ample preparation for trouble and avoid it, if possible, than to wait for trouble and then spend untold billions before we are finally victors, as we would be. [Applause.] If we are involved in no trouble, we shall be getting off cheaply with the expenditures for preparation. If we should be involved in trouble, the money we spend now will be worth manyfold that which we would spend after the trouble began. [Applause.]

I know gentlemen are sincere in their belief that there will be no trouble. I sympathize with those who prefer to spend the money of the people in the way of investment, in aiding our own people at home, rather than for the support of idle armies or navies. But when the trouble does come, if it should come, there would be no dissentient voice against spending all our means, if necessary, to defend our country and our homes, and it were wise for us now, it seems to me, to commence our preparation.

I do not intend to discuss the details, though I have reached the conclusion myself that it were well, as an emergency measure, to increase our Regular Army to 250,000 or 300,000, or even half a million men [applause]; that we should increase or provide our fortifications, so that our coasts may be fairly, amply protected, and that we should provide a Navy which will be able to defend us on the sea. I have much more fear, in the end, of war with England than I have of war with Germany. [Applause.]

Events are coming rapidly in the world. We may sit by and wait in contentment, and yet it is our duty, as the managers of a great country and a powerful people, to provide for their protection against possibilities as well as against certainties. I think, then, that we ought to provide these great forces; that it ought to be considered as an emergency matter, entirely apart from the ordinary routine expenses of Government, without regard to partisanship or party lines. [Applause.] If England and France and Germany and Italy can consider their propositions without party lines, a country like ours ought to be able to sweep aside mere partisan considerations and try all to stand together, loyal to the country, in the effort to aid the administration of the Government.

I think, further, that we ought to provide in some way for the building up and the strengthening of our home industries, so that if we shall become involved in war we may be able to live within ourselves. [Applause.] And I think as far as possible that question should be considered entirely apart from former partisan opinion, in the hope that in some way we may get together in the interest of our country, if we should become involved in a struggle with a foreign power.

I have spoken thus very briefly, not with rhetoric or fancy phrase, because it seems to me that if there ever was a time in the history of our country when we ought to invite and receive expressions of opinion from all sides, this is one of the times, with a firm determination that out of it we will bring results; a combination of the opinions of all, without expressing the views of any, which we and all of our people may stand for, that we may uphold in the future our national honor and our national integrity; and, it seems to me, possibly our modern civilization, which I fear may break down on the other side of the water. Let us try to think what is for the best of our country, what we would do if we had each one the supreme authority and responsibility, if it were placed upon each one to determine whether he would take the chance of disaster in the future or prepare now to prevent that disaster. [Prolonged applause.]

#### ORDER OF BUSINESS.

Mr. GALLIVAN. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes on Thursday, after the approval of the Journal; and, if such consent is granted, I pro-

pose to address myself to the subject, "The real causes for the necessity of getting ready."

The SPEAKER. The gentleman from Massachusetts [Mr. GALLIVAN] asks unanimous consent that on next Thursday, after the reading of the Journal and the disposition of the business on the Speaker's table, he be permitted to address the House for 30 minutes, subject to the conditions imposed on all these speeches, that they are not to interfere with appropriation bills or privileged matters. Is there objection?

There was no objection.

Mr. LITTLEPAGE rose.

The SPEAKER. For what purpose does the gentleman from West Virginia rise?

Mr. LITTLEPAGE. I rise for the purpose of asking the unanimous consent of the House that I be permitted to address the House to-morrow, after the reading of the Journal, on the subject of peace.

Mr. MANN. Mr. Speaker, would the gentleman from West Virginia permit me to suggest that to-morrow is Calendar Wednesday, and that we have a very important bill up, where the time is necessarily limited?

Mr. LITTLEPAGE. I would quite agree with the gentleman from Illinois, but I fear I shall not be here Friday.

Mr. MANN. To-morrow is Wednesday.

Mr. LITTLEPAGE. I will call it up later. I do not want to interfere with the business of the House. I would take only perhaps 25 minutes to-morrow.

The SPEAKER. Does the gentleman from West Virginia change his request to Thursday?

Mr. LITTLEPAGE. I shall not be here Thursday, Mr. Speaker. I will just let it go by for the present.

Mr. HUMPHREY of Washington rose.

The SPEAKER. For what purpose does the gentleman from Washington rise?

Mr. HUMPHREY of Washington. To ask unanimous consent that on Thursday, immediately after the reading of the Journal and the remarks of the gentleman from Massachusetts [Mr. GALLIVAN], I be permitted to address the House for 40 minutes.

The SPEAKER. The gentleman from Washington asks unanimous consent that next Thursday, at the conclusion of the remarks of the gentleman from Massachusetts [Mr. GALLIVAN], he be permitted to address the House for 40 minutes, subject, of course, to the restrictions that are put on all these speeches. Is there objection?

There was no objection.

The SPEAKER. Under the special order of the House the gentleman from New York [Mr. BENNET] is recognized for 30 minutes.

#### THE COMMON DEFENSE.

Mr. BENNET. Mr. Speaker, except for the application of a general doctrine to a particular interest or, rather, to a particular locality, it would be gross impertinence on my part to address this House at this time upon the conclusion of the magnificent, patriotic, American address of the gentleman from Illinois [Mr. MANN]. [Applause.] I rise to do so because on the morrow the President of the United States journeys to the city which I have the honor in part to represent.

The President of the United States is the President of us all, whether we voted for him or not. He will be cordially welcomed in that great American city; welcomed for many reasons; welcomed because of the high office which he holds; welcomed because of his learning and ability; and welcomed because of his high personal character as a man. Yes; more than that; he will be welcomed because the errand on which he comes is popular in the community to which he goes.

There is another reason why he will be cordially welcomed, if the President chooses to avail himself of it. Personally I am of what passes in this country for old lineage. My most recent foreign ancestor came here in the eighteenth century, and I have only an intellectual appreciation of the fact that a man may be the best possible American citizen and yet retain a warmth of affection for the land of his birth or of his ancestry. But the President in that regard, going to that great American city, is doubly fortunate. I have no doubt that his biography, as published in the Congressional Directory, was submitted to him and is correct. Amongst other things, he says his father was a native of Ohio and his mother of Scotland, and his ancestry on both sides is Scotch-Irish.

In that city of over 5,000,000 people, now the largest city in the world, there are thousands among the citizens and the residents who can understand with an affectionate warmth the purpose which impelled the President of the United States in referring in his autobiography to the land of the birth of

his mother; and we, who are in whole or in part of Celtic ancestry—and there are many such in the city to which he is going—will agree with him that his mother, and therefore himself, came from one of the best race stocks that there is.

But the President of our country, if he will avail himself of it, can at once touch the heartstrings of the majority of our people by alluding to the fact, which must be present in his heart, that a man can be a loyal American citizen and yet love the customs, the songs, the people, and have an interest even in the present affairs of the country from which at least one of his parents came.

Mr. Speaker, many things are necessary under the general head of preparedness. The gentleman from Illinois [Mr. MANN] has spoken of both material and spiritual things which are necessary. For my part I purpose to speak largely along the lines of those matters which come under the head of spiritual rather than material preparation; for, first and foremost, if we are to be prepared for any emergency, we must be ourselves a united people. The Scotch-Irish people, of whom the President is one, belong largely to one great church, a church to which some of us here have also the honor of belonging, and which we hold in affectionate regard. In the old days of the Scotch kirk, when a member of one of those Presbyterian churches was starting out upon a journey or toward the accomplishment of a great purpose, it was the pious duty of a fellow member to give him a word of Scripture to be of assistance to him on his journey. Oh, I would that as a fellow Presbyterian I could, before the President made his recent address to this House, have given him a word of Scripture, which I now give him in all seriousness to take to that great city which I love. This is the phrase:

But let all men be swift to hear, slow to speak, slow to wrath, for the wrath of man worketh not the righteousness of God.

If the President had had that phrase in his mind, he would have hesitated before, on very slight evidence, he used those particular words in which he segregated a portion of our citizenship, notably a certain portion born abroad. For the President is not unfriendly to people of foreign birth. I do him the justice willingly to admit that, and to call swiftly to the attention of this House the fact that the words of scorn which he heaped upon unknown and unnamed persons were followed in the next sentence by one of the most generous tributes to citizens of foreign birth ever uttered in this House by either President or Member. The President simply was misled by some one; and as he journeys to our great city, he can do the cause which he represents no greater good than by demonstrating that even a President of the United States is not too great nor too proud to apologize for a statement made almost without foundation.

For what are the facts about this allegation as to persons of foreign birth involved in plots? I have addressed two resolutions of inquiry, one to the President, one to the Attorney General. The newspapers inform us that the names have been sent to our Judiciary Committee, although the Judiciary Committee has not brought them to the attention of the House. And during these long months of war I find that of citizens of German birth there is just one, or possibly there are two, who have been even accused of violations of our neutrality laws [applause], Mr. Lyendecker, of New York City; and if Mr. Schulteis, of Illinois, is an American citizen of German birth, then the number is two instead of one.

Mr. DYER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Missouri?

Mr. BENNET. For a question; yes.

Mr. DYER. Does the gentleman mean to say to the House that he interprets the speech of the President to the effect that his criticism was directed toward people born of German parentage or in Germany?

Mr. BENNET. Mr. Speaker, the speech was interpreted by the country to relate to American citizens in this country who had been born subjects or citizens of the central powers; and the President, as a scholar of ability and a man of learning, should have realized that in the condition of the public mind his speech would have been so interpreted.

The President of the United States can, if he will—

Mr. BORLAND. Will the gentleman yield?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Missouri?

Mr. BENNET. For a question.

Mr. BORLAND. The President having clearly limited his remarks to actual offenders, why does the gentleman say that any such interpretation as that should necessarily be placed on his speech, when it was distinctly limited to men who were actual offenders against the American laws?

Mr. BENNET. Because out of a total foreign-born population in our country of something over 14,000,000 the proofs show that but one man has been even accused of a violation of our neutrality laws, a number so infinitesimal that neither the President of the United States nor anyone else in a high position of responsibility should have agitated our united citizenship by an implication which, coming from such a source, must have been considered to refer to large numbers. [Applause on the Republican side.]

Mr. HEFLIN. Will the gentleman yield?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Alabama?

Mr. BENNET. Just for a question; but I desire to give notice that after that I shall not yield, as I see my time is short.

Mr. HEFLIN. Does not the gentleman know that when the President made that reference he referred only to those who were classed as anarchists in this country, those who were trying to blow up buildings and destroy powder works in the United States in their efforts to aid warring factions across the waters? Does not the gentleman know that the President did not mean to reflect upon the great body of patriotic Germans and Hungarians and others born on foreign soil but now obedient to our laws and loyal to our flag?

Mr. BENNET. I say again, patiently, that I have no doubt that the impression was conveyed to the country that the President did refer to people who were engaged in plots such as that, but also that he referred to those who were born under the jurisdiction of the central powers, and that if the President had investigated he would have found out that the accusation was against only one man who came within that class, and that being so, he ought not to have said it.

Mr. BARKLEY. Does the gentleman mean, then, that the—

Mr. BENNET. I said I would decline to yield further, and I must decline.

The SPEAKER. The gentleman declines to yield.

Mr. BENNET. Mr. Speaker, I regretted the speech that was made here by my warm personal friend, the gentleman from Massachusetts [Mr. GARDNER], because it has made more difficult the task to which he and the President of the United States have addressed themselves, differing only in detail. We can not go forward as a united people unless we are united, and we can not be united if Representatives in Congress, or the President of the United States, or Members of the body at the other end of the Capitol by word or speech segregate any part of our common citizenship. [Applause.]

I did not rise to defend that large body of voters in my congressional district who are of German birth and ancestry, and I shall not defend them now, because the German stock in this country is as old as that of any other country. And if the gentleman from Massachusetts had exercised his memory—for he has the knowledge—he would have recalled that the very first Speaker of the House of Representatives was a German. [Applause.] He was the son of that distinguished Lutheran clergyman who rose in his pulpit during the Revolutionary War, preached a forceful sermon of adherence to the Revolutionary cause, and then, throwing aside the black cassock of the clergyman, stood revealed in all the panoply of a soldier of the American Army and demanded that those men who were loyal to the cause of the Revolution should follow him from the church to the field. [Applause.] He led from that building more than 300 of the staunch, sturdy Germans, members of that Lutheran congregation, and from that day to this citizens of German birth have needed no defense, and need none now.

It is the glory of this country that, coming from every race stock as we do, we have agreed so well, we have progressed so well, that we have differed so little. It is worthy of note, even by the newspapers of the city of New York, that amid all the toil, tribulation, and trouble and rumors of war that come to us from Europe, our five million from all races of stock continue to dwell and do business together, untroubled by the fact, so far as their relations one to the other are concerned, that across the water their kinfolks are engaged in a desperate, deadly struggle. We have with us a united people; and it is therefore the more regrettable that people in high position, first, the President of the United States, and then the gentleman from Massachusetts, following a bad example, should do anything to segregate us. From the first we have had in the city to which the President is going a desire to welcome the stranger of other faith. In 1657, when New York was a Dutch province and partly settled by English, it is to the honor of those English that when the Quakers, the members of the Society of Friends, came into the province and established a church a demand was made upon the governor that he should prosecute them. The sturdy English

citizens inaugurated a practice by sending a memorial to the governor, in which they said:

\* \* \* Neither stretch out our hands against them to punish, banish, or persecute them. \* \* \* That which is of God will stand, and that which is of man will come to nothing. \* \* \* Therefore, if any of these said persons come in love unto us, we can not in conscience lay violent hands upon them, but give them free egress and regress into our towns and houses. \* \* \* This is according to the patent and charter of our town \* \* \* which we are not willing to infringe or violate.

Thirty-one of these men stood to that document until their lands were forfeited rather than violate that early principle of the island of Manhattan. As we commenced, so we have gone on, as our President ought to know, in that mutual living-together in comprehension, in forbearance, and training our young to have an absolute loyalty to the American Government.

I do not know the custom of other cities, and other cities do not know ours, but I want those here to know that at least once a week in every public school in the city of New York—and we have 700,000 children in our public schools—every boy and every girl is brought together in one big room, the American flag—our beautiful flag—is brought in with ceremony, and all rise and salute, and they say something like this: "I pledge adherence to my flag [applause] and to the country for which it stands, a Nation one and indivisible." [Applause.] It is that training from the earliest day which has laid the foundation for the loyal American patriotism which the President of the United States will find in the city of New York.

Now, was there dissatisfaction as to the President's speech here and to the speech made at the Manhattan Club? Certainly. Is there disloyalty? Not at all. I represent upon this floor next to the largest Democratic district in the city of New York. I think my friend BRUCKNER has a larger Democratic district than I have, but the Democratic majority over the Republican vote in the twenty-third congressional district was, according to the enrollment at the special election at which I was elected, nearly 13,000. I have a right to say some things from his fellow Democrats to our Democratic President.

Why was this overturn? On my personal merit? It would be both immodest and untruthful in me to make that assertion. Entirely on account of the tariff? I should like to be able to say that, but it would be inaccurate. Gentlemen like Mr. CAMPBELL and Mr. LONGWORTH, who came there and spoke on the tariff, contributed thousands of votes to me on election day; but that great district, more than 80 per cent of which is either foreign born or, like the President, children of parents one or both of whom is foreign born, voted for me because I made a campaign on the platform of an adequate national defense. [Applause.] If there is one voter of German birth and parentage in the congressional district, there are twelve thousand of them, and my reiterated speech in that campaign was that, if I was elected, I would come here as an American, to represent an American district in an American Congress; and I would not dare to go back to the twenty-third district, foreign born as it is, unless I so represented an American district in an American Congress. [Applause.]

Are our fellow citizens of German birth satisfied? No. What is it they demand? Simply that there shall be a uniform American policy adopted by the administration and enforced against all nations alike. Are they distressed when our Nation demands reparation for the death of our citizens? No; but they are distressed when they detect or think they detect in the administration of our laws a partiality as between nations. I do not agree with my friend from Massachusetts [Mr. GARDNER] that the great battle of democracy is being fought by Great Britain. The great battle of democracy and of progressive government is being fought now as for a hundred years in the United States of America. [Applause.] It is here that the present hope of the best government is, and it is here that our efforts should be devoted toward perfecting that government. Our fellow citizens of German birth note the sternness of the notes that went to Germany and they call upon us to note that as between the central powers and ourselves a solution of those problems is being reached, which bids fair to be creditable to both sides; but they also call upon us to note that there is no "strict accountability" note going to Great Britain, and they demand as Americans that we perfect an American policy and stand by it as against the whole of the world or any portion of it.

Mr. GARDNER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Massachusetts?

Mr. BENNET. How much time have I?

The SPEAKER. Four minutes.

Mr. BENNET. I will yield for a question.

Mr. GARDNER. Does the gentleman know of any German-American newspaper that denounced the sinking of the Lusitania?

Mr. BENNET. As I do not read German I can not say they did or did not. I am not defending that act, and my friend, with his excellent knowledge of English, I think understands my position correctly. What our citizens of German birth or extraction do protest against is the fact that we seem to be sinking into the position of a dependency or territory of Great Britain. My friend from Massachusetts [Mr. GARDNER], if he is logical, holds that view, because he says that during the progress of the war we ought not to interfere with the violations of neutrality laws on the part of Britain. If we decline to interfere, then we become an ally of Great Britain, and if we are going to be an ally of Great Britain, let us have the old-fashioned American sturdiness and take the disadvantages with the advantages. If the gentleman wants us to be an ally of Great Britain, and if this House thinks that way—which I do not believe—let him introduce his resolution so that the American people can at least have the courage of Japan and not be in the present position of Greece. Do I overstate our position? Let me give one or two illustrations. A citizen of New York City, a diamond merchant, with an office for more than 20 years in Amsterdam and an office for more than 30 years in New York, desired to send \$300,000 in gold on a neutral steamer from himself in New York to himself in Amsterdam to pay his own bills and was not permitted to do so by the British Government, although the shipment was on a neutral ship. A constituent of mine who earned every dollar that he made shipped \$15,000 worth of furs to a Scandinavian country, to a neutral port on a neutral ship, from a neutral country, from an American citizen to, I think, a Danish subject, and they were seized and taken into Kirkwall, together with, I think, as I recollect it, something like 400 ships since the beginning of the war, in absolute violation of international law, both American and British.

The gentleman from Illinois [Mr. MANN] was quite correct. If we ever get into any contest, which God forbid, we stand a far greater chance, with these daily recurring instances of high-handed oppression to our citizens and our commerce, of getting into trouble with Great Britain than with Germany. For one I hope that we will get into trouble with neither, and I hope that the views of the President and those who think with him will prevail for preparedness, but beyond that and above that I most sincerely trust that the advisers of the President and the President himself, sympathizing as he must with persons of recent foreign birth, will recognize the necessity of removing the causes of irritation and uniting our people, whether of native or foreign birth, not on any policy of aggression, not into any speculation, but behind and upon an American policy for an American people, administered by an American Government. [Applause on the Republican side.]

Mr. LITTLEPAGE. Mr. Speaker, I ask unanimous consent that I may address the House for 25 minutes at this time.

The SPEAKER. The gentleman from West Virginia asks unanimous consent to address the House for 25 minutes at the present time. Is there objection?

There was no objection.

Mr. LITTLEPAGE. Mr. Speaker, a very gratifying spectacle has been witnessed in this House this morning. When the people of the entire country are more or less excited in anticipation of some trouble that might possibly arise to see the East and the West, the North and the South, here standing as one man, as one country, having the interest of the country and its general welfare uppermost in heart, is a spectacle that the country ought to be and is proud of.

Mr. Speaker, let me assure the Members of this House that I sincerely appreciate this allotment of time to me, that I may submit some views I entertain in the presence of this, the greatest lawmaking body in the world—a great privilege and honor to any man—and I promise not to abuse that generous consideration or cause you to regret having extended to me this opportunity to, in my humble way, speak to you and through you to my people at home and the good people all over the land—the country of my birth and the country in which it is an honor and great privilege to live and to labor for those whom you love and those dependent upon you. I love my country and all the good people therein. I stand for one God, one country, and one flag. That flag floating out yonder in the crisp breeze represents the highest ideals of citizenship, forbearance, stability, and integrity, and a country where the word of God is the word of its people; where Christianity, which links humanity to God, is fully honored by a noble race of people, whose motto is: "Peace on earth, good will toward men."

We are living in a fast age and during stirring times. Nearly one-half of the population of the world is engaged in killing one another and destroying their neighbors' property, burning the homes of defenseless women and children during the absence in war of the heads of the families; old and indigent people, men and women and little children are starving to death and falling by the wayside to arise no more as flies in the autumn. Public buildings, historic palaces, railroads, bridges, stock, feed, barns, homes, and other property of at least ten nations of the earth are going up in smoke, leaving ruined countries, sick and starving people to fall and die away from their homes among strangers and in strange lands as the result of a cruel, wanton war.

In addition, nearly 10,000,000 soldiers have been destroyed—killed or crippled. Thousands of young men have kissed their parents, brothers, and sisters good-bye and have gone to the front—never to return. A cruel war of conquest, brought on by the rich and powerful, who usually stay out of range, while the poor men of moderate means are at the front doing the fighting and butchering. Great God, what a spectacle! Why, oh why, should the rich and powerful of my country want to involve our country in war? The monarchs of Europe brought on the present world's greatest war. The flower and manhood of that unhappy and desolate country is lying in unmarked tombs. The pride and hopes of those left behind are gone forever, as never again will husband and wife, father and child embrace each other as of yore. No, never; not this side of eternity.

The newspapers, especially those subsidized, are inflaming the public mind of our people. Some of them, and unscrupulous politicians, men who do not love this country and its great traditions, are sinning against the dignity and usefulness of their own Nation. Some of them are engaged in slandering our own great, honest, Christian President, Woodrow Wilson, maligning the President of their great country and mine, trying to embarrass the great chieftain of my country and theirs. But God is with him. He has kept the faith and preserved the command written in that great good book of all books, the Bible, which says, "Thou shalt not kill!"

The great rank and file of the good people of this Republic are with and behind you, President Wilson! The wives and mothers of this Republic are praying to God to give you wisdom and strength of character to stand firm as you are for peace and tranquillity in our land. They have reared their boys to love and cherish high ideals in order to engage in the various avocations of usefulness in life, and not to kill.

When I was a child the ravages of the War between the States destroyed the savings of a lifetime of my father and mother. When the war was over all was lost. Father and brother gone; nothing left; a careworn, widowed mother—God bless her memory—with seven orphan children, in poverty and rags, to struggle for a miserable existence. I know what war means, especially to women and children. I know in fact the misery and woe left in its wake, and I stand here to-day an advocate of peace. I believe in the fatherhood of God and the brotherhood of man. That is what our Constitution means; that is what that flag, the symbol of this Nation, represents.

It is charged that war on the German Empire should have been declared. What unfriendly act toward these United States was Germany ever before this war guilty of, except in her struggle with the combined forces of a great adversary? Why do not our people stay out of range? If two men are fighting with knives or pistols, an innocent bystander, or even a peace-maker, is often killed. We have been worse treated by England than Germany. England wrapped her ship in the American flag in order to deceive hostile countries and adversaries. Our ships have been sunk and the lives of our people destroyed by going into the range in which we have been warned not to go.

These things occurred at a time of great excitement of our neighbors, and we should be forbearing and tolerant, even more so than at any other time. Our worst enemies are at home. Men who, to enrich themselves and reap fabulous fortunes at the price of the dead and dying, the lame and the weak, would plunge our beloved country into war, with all its horrors, and involve us in a \$10,000,000,000 war debt, all for the sake of greed and avarice.

I am for preparedness upon a reasonable and essential plan. Not for aggression but for defensive purposes only. My country's good, my country's progress among the nations of the earth, my country's standing before the world for peace are all higher and more sacred to me than my politics. Where is the true man who would not sacrifice his all for the good of his country—for the uplift and peace of his fellow man? If there be such a selfish man, let him stand before the great bar of public opinion and be subjected to the gaze of honest, patriotic men, and his

leopard spots will quickly develop. Show me a man who can stand the insults, the gibes, and the slander, coming from a great horde of interested sources, uncomplainingly and meekly, that his country may live and prosper and exert an elevating influence for peace and Christianity after he has gone to his final reward, beyond the mystic river of time, and I will show you Woodrow Wilson. [Applause on the Democratic side.] It takes an iron-nerved man of a high and lofty purpose to withstand the slander being heaped upon our President by those so powerful in the financial world, wanting war, in order to double and triple and quadruple their already stupendous fortunes at the expense of the lives of the young men of our country.

Did I raise my boy and did you raise your boys to kill people? We reared them to live lives of Christians. But it is urged by the fighters that when a German submarine torpedoed and sank an American ship and caused the death of so many American citizens, that then and there diplomatic relations should have been severed and war declared upon that unhappy country from whence so many of our best citizens come and have prospered here among us, and where they are respected according to their conduct, the same as any other American citizens.

Mind you, this desperate war was going on on land and sea. The steamship companies were exacting desperately high freight and passenger rates, and for one trip through the war zone some paid likely as much as three trips in times of peace. The people knew the risk they were running. They took the risk and lost. So did the steamship company. Germany has admitted the submarine captain's mistake, and practically disavowed the act, and has agreed to pay the bill. It is true those precious lives can never be restored, but why go into the war zone? Why undertake to pass through it in the time of cruel warfare? Would any man on land undertake to pass between two men shooting at each other? Nor did Germany's submarine captain know but what that vessel was really an English vessel.

How about England? Her course has been disastrous to our commerce on the sea. She seized cotton from the South and was the principal agency which caused the loss, we are told by that splendid and noble Member of the House, Mr. HEFLIN, of Alabama, to the South of \$400,000,000; and but for Secretary McAdoo, one of the greatest Secretaries since Stanton, the Southland, God bless her, would have been nearly bankrupt. But do not you fear! That southern pride, thrift, and chivalry will again come into her own.

What did Germany do, except during the time of this war, to hurt our country?

What has England ever done for our country that she should have done, except to use us? We have seen the hidden mystery, the writing on the walls of the old Capitol Building of this Nation, and even in the Speaker's chair, where one of her boisterous cavaliers once stood. There and then and other places at other times in history of the past you will find the answer.

Now, finally, we are all—the Members of this House and Senate and the President—styled traitors by certain yellow journals because we do not send an army into Mexico, take charge of and run the Government of that bleeding and almost destroyed Republic. The 17 men who were recently so cruelly, cowardly, and ruthlessly massacred in Mexico had been notified not to go into it; that it was not safe; that guerrilla bands were abroad; but they took the chance and lost all. I have no doubt it was done to bring on a conflict between the United States and the de facto government of Carranza, and by the Villa adherents, and perhaps by his advice and counsel, and I believe time will prove that others, closer home, were connected with the plot.

What has Carranza done? Here I insert his reply to our demands that the murderers be punished—put to death. He answered immediately through the accredited representative of the United States in that country, and here it is:

**CARRANZA APPEALS TO AMERICAN PUBLIC—LAWLESSNESS IN BEST OF STATES MAY CAUSE LOSS OF LIFE—POINTS TO HIS DIFFICULTY—RAILROAD BESET BY BANDITS LONG AND WIDE AND HARD TO GUARD—OUTRAGE IS TO BE AVENGED—NONE, HE SAYS, CAN LAMENT KILLING OF AMERICANS MORE THAN HE—BELIEVES IT WAS DONE TO PROVOKE INTERNATIONAL TROUBLE—PERPETRATORS OF DEED OUTSIDE THE LAW TO BE PUNISHED BY DEATH—DELAY IN REPORT TO SENATE OF STATE DEPARTMENT DRAWS CRITICISM FROM FALL.**

The State Department received last night Gen. Carranza's reply to its request that the murderers of the 17 Americans near Santa Isabel be captured and punished. It came in the form of the following dispatch from Consul John R. Silliman:

QUERETARO, MEXICO, January 16.  
SECRETARY OF STATE, Washington:

Department's telegram of January 13, 5 p. m., massacre Americans at Santa Isabel, received at 8.20 and immediately placed before Gen. Carranza by me in person. Gen. Carranza said that he had already issued orders for the immediate pursuit, capture, and punishment of those responsible for the atrocity. He stated that he believed this

outrage was committed by men associated directly with Villa, and that it was done specially to provoke international trouble at this time. He said he had declared those responsible outside the law, to be punished with death if caught.

#### APPEALS FOR CONSIDERATION.

He appeals to the Secretary of State and to the public of the United States to consider the wide strip of the Central Railway, the great difficulty of guarding the entire distance, and the comparatively easy task of destroying a train or attacking a small place. He says that nobody can lament more than he such an atrocity or be more concerned about it, but that protection is relative and that even in the best regulated state outbursts of disorders and lawlessness may cause destruction of property and loss of life. He says he is expecting full reports from Gen. Trevino, and that all efforts will be made to protect Americans and any other foreigners who may be in the district. His belief is the massacre was made premeditatedly by a band, who fled at once after the raid.

SILLIMAN.

CARRANZA AUTHORIZES "ANY CITIZENS" TO KILL SLAYERS OF AMERICANS.  
LAREDO, TEX., January 16.

Gen. Venustiano Carranza, as head of the de facto Mexican government, has issued an order authorizing "any citizens" to put to death bandits implicated in the killing of American mining men at Cusihuiriachio, according to a dispatch to-night from Queretaro. The dispatch also reported that Gen. Carranza to-day transferred his headquarters from Queretaro to Celeva.

The act of a citizen in killing any of the participants in killing of foreigners at Cusihuiriachio would be considered an act of patriotism, and not of crime," Gen. Carranza is quoted as saying.

"Should the bandits cross the American border I trust they will be captured and returned to Mexico for execution."

Since the publication of this information throughout the United States, the leading newspapers of our country are now publishing the following information under date of January 23, 1916, which I quote as follows:

MEXICANS WHO SHOT AKERS HEAP CURSES ON AMERICANS AS DEATH VOLLEY IS FIRED—DURAN BROTHERS DEPIANT AS THEY GO TO EXECUTION IN WEIRD JUAREZ CEMETERY—ELDER DECLARES HE ALONE KILLED AMERICAN RANCHMAN TO PROTECT HOME—REFUSE TO BE BLINDFOLDED—MANY WOMEN SPECTATORS.

EL PASO, TEX., January 23.

With a curse upon their lips against the American people, two young Mexicans, brothers, were shot to death by a Carranza firing squad in the Juarez cemetery at 6.07 this morning for the murder on Friday afternoon of Bert L. Akers, an American rancher, of Ysleta, Tex., while 50 Americans, including a number of women, looked on. Bernardo and Federico Duran, the executed men, went to their death standing shoulder to shoulder against the whitewashed adobe wall of the cemetery. They faced the firing squad with undaunted bravery, refused to be blindfolded, and fell together at the first volley.

Almost their last word was this challenge, flung at the small group of American newspaper men and friends of the murdered Akers:

"Watch and see how Mexicans die, you Americans—"

#### KILLED TO PROTECT HOME.

The only plea of any sort was made by Bernardo Duran, the elder brother, a few minutes before the end. Standing beside the cemetery gate, he said, in his own tongue, to a correspondent, the only American who talked to the prisoners:

"We are dying for you Americans. Tell the world that. I shot the American because he was trying to force entrance to my home. I was defending my rights, as any man would have done."

"My brother here is entirely innocent. He didn't fire a shot, but they are going to kill him, too. Tell me, is that justice? He is being sacrificed to your American public opinion. We are not afraid to die, but why should an innocent man be killed? He is only 22 years old. I am 24. Some day we will be avenged."

#### WEIRD MARCH TO DEATH.

While the elder talked the younger brother stood beside him, hands pocketed and lips quivering slightly, but saying nothing. The prisoners were bound together by ropes.

The Juarez cemetery is a mile and a half from the jail where the condemned men spent their last night.

The morning air was cold, but they wore no coats when they emerged at 5.30 a. m. from the prison and took their place between six silent guards and set out afoot for the place of death. Beside the firing squad rode its commander, Capt. Alfredo Ortiz. With heads bent, the brothers strode along talking softly to each other. The guards, muffled in gaudy-colored blankets, shuffled beside them. Once or twice the elder brother's arm went caressingly over the younger's shoulder and he whispered a word of comfort.

The road to the cemetery is a gloomy one, even by day. It leads over a plain dotted with sickly mesquite and cactus. The last half mile before the cemetery gate the road straightens out and the white crosses are visible long before the gate is reached.

#### PASS THROUGH FATAL GATE.

Neglect has made the burying ground even more desolate than usual. The crosses stand awry over many graves. Few are erect. Standing thus at grotesque angles, they make weird shadows on the weed-covered turf and marble slabs.

Slowly the little procession approached the gate, which stands at the crest of a gentle rise.

Through that gate have gone hundreds of prisoners sentenced to death, most of them war captives. The Americans waiting at the entrance involuntarily shrank back as the prisoners and their guards arrived at the gate, which was swung open by the deaf old sexton, who has guarded it for years. It is of iron and it creaked upon its hinges as it opened.

#### MARCH TO DEATH HOUSE.

"Halt!" said Capt. Ortiz when the squad had advanced about 10 feet within the cemetery. The gate was closed and the spectators leaned over it. The reporter was permitted to enter and interview the prisoners. The order to advance once more was given, and the group

marched toward the "death house" in the center of the graveyard, 100 yards away.

The white walls of this one-room hut shone in the moonlight. The gate was opened to admit the witnesses, who crowded close to the executioners.

It was 6 o'clock. The church bell tolled in El Paso and reverberated over the plain. Capt. Ortiz advanced and placed a soiled handkerchief over the younger man's eyes, but as soon as the officer stepped away he slipped it to his forehead and muttered, "I will die like Bernardo, with my eyes open."

Bernardo, who had stood quietly until now, broke out into a torrent of abuse, directed at the American spectators.

"Oh, for a carbine now in my hands," he shouted. "I'd show you Americans something. Our death will not go unavenged. Ah, watch and see how Mexicans die, you Americans—"

#### SENDS PICTURE TO PARENTS.

A Mexican officer who had accompanied the Americans to the cemetery walked to the prisoners and said a word or two. The younger handed him a cheap little picture of himself and asked that it be sent to his parents in Santa Rita, N. Mex. The elder gave him his hat as a present. The policeman embraced them both, and Bernardo said:

"Por la causa" (for the cause).

The brothers spoke softly to each other as they turned and embraced.

"Ready!" said the captain.

"Take aim!"

Church bells in the ancient cathedral of Juarez began tolling to early mass.

"Fire!"

The brothers crumpled to the ground. Bernardo's arm, even in his death agony, lay across his brother's breast as though trying to protect him. A groan came from the writhing figure of the elder. With his dying breath he said clearly, "Oh, God, wait a minute."

Capt. Ortiz drew his revolver and advanced to the fallen men. Quickly he sent a bullet into the brain of each—the mercy shot.

The bodies were displayed to-day in Juarez, and several hundred friends of the murdered American viewed them.

This was indeed a pathetic case, well calculated to arouse both admiration and deep sorrow, but it shows President Carranza's determination to protect the lives and property of Americans in Mexico at whatever cost to his people, and that he is willing to make any sacrifice rather than have the United States Army and Navy invade his country. Tell me after that we ought to start upon a campaign of conquest and invasion and I reply let us first stop, look, and think.

What more could he say or do? The President has, as he should, given him a chance to make good. When the murderers are captured—and it is a big undertaking—and put to death in expiation of their horrible crime against God and his country, and the damage paid as required by international law and good conscience, what more can be expected of the new President of that wretched and disorganized country? Bear in mind war—guerrilla warfare—has been going on there for about three years.

Why do our people want to go there until conditions have righted themselves? It is the desire for greed and avarice which causes men to take chances. God pity the man or set of men who would rush our country into bloody war for the sake of private gain. We are told that it will require 275,000 soldiers, equipped with all necessary war munitions, and a part of our fleet; and the Lord only knows what the expense would be to take charge of Mexico. If we have to send the flag there, I want it to stay; but do not start it. A guerrilla war would at once ensue and would likely last 3 to 10 years, and cost our Republic possibly \$7,000,000,000 to \$10,000,000,000. The majority of our young men going there would never return.

I am opposed to militarism; I am opposed to our Government going on a foraging or conquest tour. We received our dose when we took the Philippines, which we can not now let loose. It is the old bear story again. Only 15 per cent of the people in these islands can read and write. They still have the tribes of head hunters there. Get rid of the islands as soon as possible and on the best possible terms, if we want to be mercenary; keep on civilizing if we want to be noble, however expensive.

My information is that the war in Europe is costing 5 of the 10 nations involved approximately \$73,000,000 daily, and I here insert a clipping considered reliable. Think and ponder over it:

SEVENTY-THREE MILLION DOLLARS NOW DAILY COST OF THE WORLD WAR.

PARIS, January 16.

After prolonged study of all available statistics, Alfred Neymarck, French economist, finds that the daily cost of the war to five of the belligerents has attained \$73,000,000, divided as follows:

Germany, including advances to her allies, \$20,000,000; France, \$16,000,000; Great Britain, \$19,000,000; Russia, \$13,000,000; Italy, \$5,000,000.

Italy's expenses must rise to more than \$6,000,000 daily, however, for by the end of July she will have spent \$3,000,000,000 altogether. The belligerent war loans to the end of last October totaled \$24,000,000,000, of which the United States supplied \$900,000,000. The allies have borrowed \$14,000,000,000 and the central empires \$10,000,000,000.

If war must come, I would like if possible to see an election first held by the people, and let them vote for or against war, with the understanding that if a majority favored war, the first army should be made up of those who voted for war. If this were understood before the voting, I am sure peace would win a sweeping victory all over the land, notwithstanding the

influence of the subsidized press, notwithstanding the power and influence of the money mongers abroad in the land. Oh, for another Christ to drive them this time out of the People's Chamber, that the common people can have a better chance in life! [Applause on Democratic side.]

Go and see the ministers and they will all cry out peace. Go and visit the homes of the wives and mothers of this land, and they will cry out, "Don't send our boys away to kill or be killed." Go among the farmers and listen to their story of peace. Go among the toiling people of the land, the poor people, who are expected to do the fighting, and they will all tell you that since this is to be a rich man's war, let them do their own fighting. Finally, go on the coming Sunday to the church house and there kneel down in prayer, asking God to guide you aright, and you will leave there with the cry of peace on your lips; which cry will be taken up and echoed until the clarion cry for peace and tranquillity will go up throughout the land. Let us sit steady in the boat and not be swept off our feet by interested and ulterior motives urged upon us. Our ship of state is in the balance throughout all the world. The eyes of a billion people are on us. Our own country is in a nervous state. Let us come out in the open where we can cry out to the people, "All is well along the Potomac. We are still sane in Washington." Woodrow Wilson, like the old-time religion, is good enough for me. [Applause on Democratic side.] He has piloted the ship of state through the crags and rocks of Germany, Austria, Russia, and France, and they did not touch him. He is now passing the shoals of England, and is dealing honestly and courageously with Mexico, and we are each and all behind him heart and soul and will stand or fall with him and the flag of our beloved Republic. My friends, all is well.

Cardinal Gibbons, that great and good man of whom his country is justly proud, in answering an invitation recently to address the National Conference on Immigration, is credited with sending the following answer:

Though my official duties and increasing age prevent my doing all I should like, allow me to assure the committee of my heartiest sympathy with the work. Above all times now should our fellow citizens and compatriots be undivided in loyalty and devotion to the Stars and Stripes. May wisdom and forethought guide you and our national leaders for the best interests of our beloved country.

The exhibition of such patriotism, coming from such a high source, must give inspiration and comfort to our President and to millions of our people. We judge a tree by its fruit and a man by his love of country.

We have for the first time in my day an opportunity to grasp and take the bulk of the commerce of the world. What shall we do for our country and business men in this national emergency? Shall we be sane and patriotic or shall we pick a quarrel with some poor, oppressed, distressed, and broken-down neighbor and go to fighting? Do we want to help the business interests of this country, thereby giving employment and a higher wage to millions of our toilers? I advocate the acceptance and taking care of the wonderful volume of trade now persistently knocking at our door. In the sight of God and man, would it not be more Christianlike for us to accept the situation and be getting ready to feed and clothe these belligerent nations and sell them our products and help them rebuild their countries when this cruel war is over? A peaceful solution and avoiding war means everything to our country and people for the next 10 to 25 years. Peace means prosperity throughout our whole country. It means greater profits for our products in all lines of business and a higher wage than ever before paid in this country to our toilers.

In order to in part satisfy the demands coming from Europe now, even though the war is not ended in those ill-fated countries, our railroads are taxed beyond their capacity to handle the freight offered to them for transportation from the interior of our country to the seacoast. There is now afforded almost continuous employment at a better wage to the coal miners of this country than they have ever heretofore enjoyed. It has increased the price of coal from about 70 cents run of mine to \$1.40 per ton, and for the first time in many years our coal operators, who deserve so much attention and encouragement at our hands, are beginning to realize almost a reasonable profit on their business. What a glorious state of affairs, my countrymen, this is, and oh, what a shame and a pity it would be if we should prove in this House and the Senate so narrow minded as not to take advantage of a situation not created by ourselves. Our iron and steel mills are running in full blast with orders a year ahead. Our farmers are beginning to reap the harvest they have so long been entitled to and laboring for. Our toilers throughout the country are now better satisfied than they have ever been; our business men are looking upon a bright future.

These are not political matters, but business matters deserving of our serious and honest consideration. Peace will give

us and our country all we want; war will nearly ruin us. Are you with your country and mine? Do you love your country and its people? Do you love our traditions and institutions? Do you love the Constitution of this Republic? Do you want to see your country and all the people therein prosper? Do you want to see them happy and contented? If so, stand as the President stands—for peace. He sees this situation, and is fighting a battle royal against desperate influences that his country and his people may by their course set an example to the world to be emulated by future generations. All this great struggle he is making is in the interest of his country's good. He is not a politician, but a patriot.

I again thank you for your attention. [Applause.]

#### RURAL POST ROADS.

Mr. SHACKLEFORD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 7617.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 7617, with Mr. RUCKEN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 7617) to provide that the Secretary of Agriculture, on behalf of the United States, shall, in certain cases, aid the States in the construction and maintenance of rural post roads.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That out of any appropriation made under the provisions of this act the Secretary of Agriculture shall deduct the sum which he shall deem necessary to defray the expenses of his department in the administration of this act and apportion the balance of said appropriation for expenditure under the provisions of this act in the several States in the following manner: \$65,000 to each State, and one half of the remainder in the ratio which the population of each State bears to the population of all of the States, as shown by the latest available Federal census, and the other half of such remainder in the ratio which the mileage of rural free delivery and star mail routes in such State bears to the mileage of rural free delivery and star mail routes of all the States as shown by the latest available report of the Postmaster General.

Mr. TRIBBLE. Mr. Chairman, many gentlemen opposing this good-roads bill claim to be disturbed about "Where is the money to come from?" Some do not hesitate to say that it may interfere with the preparedness program. I consider these objectionable excuses and not reasons for their opposition.

Mr. Chairman, yesterday the Supreme Court of the United States declared the income tax constitutional. From that source this Government can raise many times as much money as it is now raising from the income tax as provided in the Underwood revenue bill, without burdening anyone. Mr. Chairman, I do not belong to that class of people who would say, "Lay on, Macduff." No, but I do believe that the wealthy of this country, those who have accumulated enormous fortunes, should be made to bear their legitimate share of the burdens of taxation. The Underwood revenue bill produced receipts, as follows, for the year 1915:

Customs receipts.....	\$209,786,672.21
Internal revenue, ordinary.....	283,398,769.85
Corporation income tax.....	39,155,596.77
Individual income tax.....	41,046,162.09
Land sales.....	2,167,136.47
Miscellaneous.....	70,287,372.90
Total.....	637,910,827.58

This shows the income tax falls far short of receipts it should produce. I want it distinctly understood that I am not in favor of collecting one dollar of revenue from the stamp taxes. I think the time has come when this House should repeal the stamp taxes. [Applause.]

It has been proposed to continue indefinitely the stamp tax and to include in its provisions bank checks, notes, gasoline, and other articles included in the Spanish-American War tax. I trust my party will not call on me to vote for measures that place additional duties on checks, on notes, on gasoline, and other articles of like character. [Applause.] If we must have an emergency war tax, then let us levy duty on munitions of war. Munition makers are reaping unheard-of profits, then let those benefiting by the war in Europe bear this burden while others are suffering from the sudden outburst of this most horrible war of all times. [Applause.] Now, Mr. Chairman, I am going to show you another source from which the revenue of this Government can be raised instead of stamp tax. The Constitution of the United States specifically provides that the Government may lay and collect taxes on imports, tariff duties, and refuses to delegate this right to the several States, thus recog-

nizing this as the principal source of revenue for the General Government.

Furthermore, this method of collecting tax has been the cornerstone of the Democratic Party. Three times the Democratic Party has been the dominant party since the Civil War, and each time declared for revenue tariff. The platform of 1884 reads as follows:

From the foundation of the Government taxes collected at the customhouse have been the chief source of the Federal revenue.

Upon that platform the Democratic Party won. [Applause.]

In 1892 the Democratic Party declared:

We declare it to be a fundamental principle of the Democratic Party that the Federal Government has no constitutional power to impose and collect tariff duties, except for the purposes of revenue only, and we demand that the collection of such taxes shall be limited to the necessities of the Government when honestly and economically administered.

Upon that platform in 1892 the Democratic Party again won.

In 1912 the Democratic Party took the exact language of the platform in 1892 in regard to the collection of the taxes of the Government by tariff duties for revenue purposes only, and upon that platform in 1912 the Democratic Party again won.

Now, Mr. Chairman, the Democratic Party has won three times since the Civil War on the platforms I have just read. Then, Mr. Chairman, I contend that Democrats are following the landmarks of our fathers when duties are levied on imports for revenue, and I fail to find any precedents for a stamp tax.

Mr. Chairman, in 1900 the Democratic Party went after a strange god in its platform, and no mention was made of collecting customs duties on imported goods for Government revenue.

Mr. SLOAN. That was the exception?

Mr. TRIBBLE. I will answer the gentleman by saying this is my personal opinion; I did not say this critically, and my observation is the gentleman's own party—the Republican Party—has also made mistakes. I think the Democratic Party made a mistake when it made this declaration:

The burning issue of imperialism is regarded as the paramount issue in this campaign.

That is an important question, but not paramount.

Mr. Chairman, this stamp tax was imposed upon the people at a time when it looked as if it were absolutely necessary to collect more duties in some way. It was said that the tariff could not be revised at that time quickly enough for the purpose of getting the revenue. The Democratic Party considered it wise not to expect much revenue from the income tax, for the reason that the Supreme Court might declare the act unconstitutional; but now why not immediately increase its capacity as a revenue producer and at the same time revise other sections of the tariff bill on luxuries for the purpose of raising revenue?

Mr. Chairman, at this time there is no war in this country; normal conditions are returning. It is true we face a condition now caused by the European war demanding additional legislation for revenue purposes, but let us not depart from the landmarks of successful tax laws. The Underwood-Wilson tariff bill would have produced enough revenue under ordinary circumstances. We confront extraordinary conditions. On account of the European war there has been considerable reduction of imports from foreign markets and consequently less duty levied, making a deficit in our revenues. There would have been ample revenue collected at the customhouses from imported goods if we had had normal conditions, but I contend this condition should be remedied by increase of income tax, customs duties, munitions of war duties, or some other method, not stamp tax on articles of common use, annoying everybody. [Applause.] Should additional duties be placed on certain imports to meet this present emergency, when the emergency passes away then the duties can be restored as now provided in the Underwood revenue bill.

Mr. SLEMP. Will the gentleman yield?

Mr. TRIBBLE. I yield.

Mr. SLEMP. Will the gentleman from Georgia give a list of the articles on which he desires to have the tariff restored?

Mr. TRIBBLE. Mr. Chairman, I am not prepared to give a list of the articles on which the tariff should be raised. It may not be necessary to increase any custom duties when the income tax is properly revised and duty levied on munitions of war, but should it be necessary, only a few luxuries will meet fully the demand.

Mr. SLEMP. I just wanted to have the gentleman's opinion.

Mr. TRIBBLE. I know the gentleman is in good faith in his inquiry. Mr. Chairman, there are three items I can furnish, and first of all I would say an increase of income tax, and if that does not produce a sufficient amount, if we are going to resort to stamp taxes, then, second, place duties on munitions of war; third, tariff duties on luxuries. I repeat, we are not

engaged in war justifying continuation of the stamp tax and enlarging its provisions. [Applause.]

Mr. Chairman, this Congress should pass the good-roads bill now before the House. We must also pass a rural-credit bill with Government aid. Furthermore, we should also pass a merchant-marine bill. When the war began American vessels carried 8 per cent of our products to foreign countries. Of course, the merchant vessels of the warring countries were required for war purposes, thus giving the ships left on the ocean for transportation purposes a monopoly. Before the war cotton was shipped from Galveston to Liverpool for \$1.10 per bale; after the war it has been costing \$17.50 from Galveston to Liverpool per bale. Since I have been in Congress I have been contending that the Government should so construct auxiliary vessels for the Navy that they may be used for commercial purposes in time of peace. During the consideration of the last Navy bill I succeeded in cutting out of the bill on the floor of the House transports and hospital ships, over the protest of the other members of the committee, saving \$4,500,000. These auxiliaries are not needed in time of peace and are purchased for temporary purposes in time of war. I am willing to vote for this class of vessels if the Government will use them as merchant vessels in time of peace. Should war come, such auxiliary vessels as scouts, transports, mine layers, fuel ships, hospital ships, supply ships, and ammunition ships could be secured instantly from the merchant vessels used by the Government for commercial purposes in time of peace. Annually we are spending millions for these small war vessels in the Navy. Why not put them and their crews to work in time of peace? That is the kind of merchant marine I favor, and if this Congress will adopt it the products of this country will be transported to foreign markets at reasonable rates and no longer will the transportation of a bale of cotton to foreign markets cost \$17.50 per bale.

The CHAIRMAN. The gentleman from Massachusetts [Mr. WALSH] is recognized.

Mr. WALSH. Mr. Chairman, I yield to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Chairman, it affords me great pleasure to see and note even a partial conversion of one of our Democratic friends.

Mr. SHACKLEFORD. What is the amendment to which the gentleman is speaking?

Mr. GREEN of Iowa. I am speaking to the amendment of the gentleman to strike out the last word. I am speaking in opposition to it.

I fear the gentlemen on the other side, from the remarks of the gentleman from Georgia [Mr. TRIBBLE], who has last spoken, and the remarks of the gentleman from Ohio [Mr. GORDON] yesterday, do not fully understand the condition of the Treasury. The gentleman who has just spoken says he would repeal the stamp tax. He is not in favor of it. Does the gentleman know that if that act was not put in force we would have a deficit, according to the statement of the President in his message, of about \$84,000,000 for this fiscal year. The gentleman from Ohio [Mr. GORDON] yesterday spoke about surplus and deficit, in the inquiry he made of the gentleman from Wisconsin [Mr. LEXROTH]. Apparently he understood that the surplus referred to the amount in the Treasury—

Mr. GORDON. Let us hear your definition of it.

Mr. GREEN of Iowa. I hope the gentleman from Ohio will not look at me in that alarming manner. He overawes me by his awful presence. [Laughter.]

Mr. Chairman, we have continued the stamp taxes for the rest of the year, but even that is not sufficient. We still will have a deficit of about \$43,000,000 with it continued to the end of the fiscal year. With the continuance of the sugar tax there will be still a deficit of something like \$28,000,000 for this year.

In speaking of deficits we mean the difference, the amount which our revenues are less than the amount of our expenditures. When we have a surplus, as we usually have under a Republican administration, we mean the amount which the revenues exceed the expenditures.

Now, the gentleman says that he would repeal the stamp tax, take off \$80,000,000, and then he would get the amount necessary to make this up and what is needed for other expenditures, which were not referred to by the President, by levying a super-tax on incomes, which he estimates, as I understand, would produce \$100,000,000 to \$200,000,000. But that would not be sufficient. He would have to have some further method of raising revenue besides that if we are to have expenditures like these, with the condition of the Treasury as it is to-day. On yesterday, when there was an inquiry about it by the gentleman from Ohio, the balance in the Treasury, excluding the

amount subject to the check of the disbursing officers, was about \$50,000,000. The first of last June the balance had run down to \$15,000,000, according to the daily statement at that time. Upon the basis which is now estimated we should, of course, add the amount which was in the fund for the redemption of national-bank notes. But even then it is apparent that we should reach the same condition or worse this year, and that we shall be doing as we did last year—carrying on the Treasury by paying the bills out of trust funds that are under the control of the department.

The President of the United States recommended—and very properly—that we ought to have an amount of at least \$50,000,000 in the way of a net balance in the Treasury. How are we going to get it? By these indefinite suggestions made by the gentleman from Georgia? Nothing in that line will produce it. By raising the duty on some particular article? The establishment of a new duty on dyestuffs, for example, will not help us. I understand that is likely to be brought before the House soon. What we need—and the only thing that will bring us back to a point where we will have a free balance in the Treasury—is a Republican tariff, administered and prepared upon protective principles. And we also need an economy that has not been visible so far. There seems to be a tendency on the part of some Members—and it is not confined entirely to one side of the House—to vote for every appropriation, but a great reluctance to levy any tax to pay it. But taxes must come, and they will be increased if this bill passes in its present form and no different methods are devised for additional revenue. This is especially true if we are to carry out the program indicated in the President's message and add thereby two or three hundred million dollars of additional expenditure.

Mr. SHACKLEFORD. Mr. Chairman—

Mr. FARR. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. For what purpose does the gentleman from Missouri [Mr. SHACKLEFORD], the chairman of the committee, rise?

Mr. SHACKLEFORD. I wanted to make a request.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Let us see how many amendments there are.

Mr. SHACKLEFORD. I want to see how much time we can devote to this section and amendments.

Mr. MANN. We would like 20 minutes on the section and amendments.

Mr. SHACKLEFORD. Mr. Chairman, I ask unanimous consent that the time for discussion of this section and amendments thereto be limited to 25 minutes, 5 minutes to be controlled by me and 20 minutes by the gentleman on the other side.

The CHAIRMAN. The gentleman from Missouri [Mr. SHACKLEFORD] asks unanimous consent that all debate on this section and amendments thereto be closed in 25 minutes, 20 minutes of the time to be controlled by the gentleman from Illinois [Mr. MANN] and 5 minutes by the gentleman from Missouri [Mr. SHACKLEFORD]. Is there objection? [After a pause.] The Chair hears none.

The Clerk will report the amendment offered by the gentleman from Pennsylvania [Mr. FARR].

The Clerk read as follows:

Page 2, line 19, after the word "general," insert the following: "Provided, That no portion of this appropriation shall be used in the construction, maintenance, or repair of all toll roads."

Mr. MANN. I yield to the gentleman five minutes.

Mr. FARR. Mr. Chairman, I do not think it necessary to discuss the amendment. It really speaks for itself. None of this money should be used on toll roads.

I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back four minutes and a half. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. FARR].

Mr. SHACKLEFORD. Mr. Chairman, let us have that reported again.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The amendment was again read.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mr. WALSH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts [Mr. WALSH].

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 2, line 8, after the word "act," insert "not exceeding \$750,000."

Mr. MANN. Mr. Chairman, I yield to the gentleman five minutes.

The CHAIRMAN. The gentleman from Massachusetts [Mr. WALSH] is recognized for five minutes.

Mr. WALSH. Mr. Chairman, the purpose of this amendment is to place some limit upon the amount that can be deducted and set aside by the Secretary of Agriculture for the expenses of his department in construing this act.

This is a new proposition, and it will offer a fertile field to any department head so inclined to construct a department made up of political henchmen and to have road inspectors installed in office in each of the 48 States of this Union. I am satisfied that the great majority of the people in certain sections of this Union are pretty hungry for Federal funds, if the opinions as voiced by their Representatives here on the floor are any criterion of their desires, so that we ought to limit the opportunity offered by this bill for the appointment of a great army of Federal officials, and we ought to say, as was said in the bill offered last year and in the Sixty-second Congress, that there shall not be expended more than a reasonable sum in the expenses of the Department of Agriculture. I think in one bill the amount set out is \$880,000, and I submit that \$750,000 will be ample for the department to use in passing upon these plans and in making up its mind whether these roads for which is sought Federal aid are projects worthy of funds from the Federal Treasury.

I ask that this amendment be adopted; and I wish to state here that I have another amendment to this section which I desire to offer at the proper time.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Massachusetts yields back two minutes. The question is on agreeing to the amendment offered by the gentleman from Massachusetts.

Mr. SHACKLEFORD. Mr. Chairman, I did not catch the exact language of that amendment.

The CHAIRMAN. The Clerk will report the amendment again.

The amendment was again read.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts.

The question was taken, and the amendment was rejected.

Mr. SLOAN. Mr. Chairman, I have an amendment which I will ask the Clerk to read.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Nebraska [Mr. SLOAN].

The Clerk read as follows:

Amendment offered by Mr. SLOAN: Page 2, line 7, after the word "sum," strike out the words "which he shall deem necessary" and insert the words "which shall be appropriated by Congress following estimates submitted by."

Mr. SLOAN. Mr. Chairman, the purpose of this amendment is akin to the amendment just voted upon.

Mr. MANN. Mr. Chairman, I yield five minutes to the gentleman.

The CHAIRMAN. The gentleman from Nebraska [Mr. SLOAN] is recognized for five minutes.

Mr. SLOAN. I desire to say, Mr. Chairman, that the amendment I have presented is akin to the amendment just voted upon, upon which there was a very close vote.

The purpose of it, as those in charge of the bill will see, is to require that the Secretary of Agriculture, in performing this new piece of work that is delegated to him, shall be controlled in the same manner as he is controlled in any other public project which it becomes his duty as Secretary of Agriculture to execute or to have charge. In every appropriation bill that comes into this House the first thing arranged for is the salary for the head of the department, and the next is the allowance of salaries of those whom he desires to select for his assistants. There is no reason on earth that I can conceive why the Secretary of Agriculture should be given the discretion of spending at his own whim or will one dollar out of the \$25,000,000 or all of that \$25,000,000 for purely administrative purposes. There is nowhere indicated in this bill where he is denied that discretion. All I ask is that instead of leaving it to the arbitrary discretion of the Secretary of Agriculture it shall be submitted to the usual appropriating committee of this House, and then that appropriating committee will lay out what ought to be of the \$25,000,000 a year for administration of roads. That will be separated and given first to the head of the bureau, if one be established, and next to the number of employees that may be allowed. So that any purpose a Secretary might have of making a political machine out of this work would be thwarted. It is so attempted to be thwarted in every other department of the governmental activ-

ities. I think that the committee ought to agree to this. The suggestion should be enough to have this allowed.

Think of the discretion allowed by this bill in its present form. The Secretary who obtains his position without the direct vote of anybody, is given a war-lord's control of a chest of \$25,000,000. Of this vast sum he may use all or most of it for administering the road project, giving practically none of it or some of it for actual construction. He may employ 1 or 10,000 men in and out of Washington to do whatever he sees fit, these men with or without qualifications for any practical work. Further, he can deal with the State highway department almost as he sees fit.

While it is not expected that a Secretary would so abuse his privilege and the discretion conferred upon him, yet legislation should be framed so as to prevent such abuse instead of permitting it.

All the foregoing within the Secretary's discretion—discretion—that realm throughout which choice and will are unrestrained; where duty often waits upon ambition; when mild, unpenalized vice supplants virtue; where good may be but evil is liable to occur; where weakness waivers, strength sleeps, and where expedience outranks right. It is a domain always sought to be extended by its occupant and against which extension the greatest battles for human rights have been waged. Discretion is the realm of the monarch, it is an ever-decreasing field in a Republic. Constitutions and statutes are but means of contracting their limits. The more they are contracted the more of a Republic we have. Carranza, Huerta, and Villa would rule with discretion. Americans would prefer to see them restrained by constitutions.

What I have said about administrative discretion has no peculiar application to the present distinguished Secretary of Agriculture. It could have little application to him, as every man on this side is of the firm conviction, supported by the well-grounded fear of nearly everyone on the majority side, that before this bill can become operative his successor will be installed. But whether he be Democrat or Republican the discretion conferred is too great.

I was very much pleased with the gentleman from Georgia [Mr. TRIBLE] in his frank statement that we could have plenty of money to enter upon this road-building project, and for that reason I am in favor of it. I am in favor of helping the Democrats carry out at least this one lone and somewhat yielding plank of the Democratic platform known as the good-roads plank. From what the gentleman from Georgia said I notice that in 1884 they declared for a tariff for revenue only, and the same thing in 1892, and again the same thing in 1912; but I notice, further, that after four years from 1884 they were turned out of power, and four years after 1892 they were again turned out of power, and one year from now they will be turned out of power again.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. MANN. I give the gentleman one minute more.

The CHAIRMAN. The gentleman is recognized for one minute more.

Mr. SLOAN. Yes; I want to draw this conclusion, that three times in recent years the Democratic Party has come into power on its promises, and twice they have gone out on their performances; and the same thing will happen one year from now. [Applause on the Republican side.]

Mr. TOWNER. Mr. Chairman, I ask unanimous consent that this amendment be read in the connection in which it occurs.

The CHAIRMAN. The gentleman from Iowa [Mr. TOWNER] asks unanimous consent to have read again the amendment offered. Without objection, the Clerk will read.

The Clerk read as follows:

Amendment offered by Mr. SLOAN: Page 2, line 7, after the word "sum," strike out the words "which he shall deem necessary" and insert the words "which shall be appropriated by Congress following estimates duly submitted by him," so that the lines as amended will read:

"SEC. 2. That out of any appropriation made under the provisions of this act the Secretary of Agriculture shall deduct the sum which shall be appropriated by Congress following estimates duly submitted by him to defray the expenses of his department in the administration of this act," etc.

Mr. SAUNDERS. According to the various prophecies made by the gentleman from Nebraska [Mr. SLOAN], if he is correct, if we leave the bill as it is, a Republican Secretary will have the opportunity to build up the dreadful political machine that he is talking about. So far as we are concerned, we are willing to take the chances with that, and to leave the bill as it is.

Mr. SLOAN. Will the gentleman yield?

Mr. SAUNDERS. I do not think the gentleman's amendment helps the bill at all, and I hope it will be voted down.

Mr. BORLAND. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Debate has been limited by an agreement. Mr. MANN. There is an amendment pending, anyway.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. SLOAN].

The question being taken, on a division (demanded by Mr. SAUNDERS) there were—ayes 40, noes 52.

Accordingly the amendment was rejected.

Mr. WALSH. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 2, line 11, after the word "manner," strike out "\$65,000 to each State and"; in line 12 strike out the words "the remainder"; in lines 14 and 15, after the word "half," strike out the words "of such remainder."

Mr. MANN. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. WALSH].

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. WALSH. Mr. Chairman, this amendment seeks to put upon some equitable basis the distribution of this fund. During the debate upon this bill several gentlemen, notably the gentleman from Illinois [Mr. MADDEN], asked the reason why \$65,000 was given to each State of the Union; and I have not heard or read any reason offered in reply by the proponents of this legislation. They take \$65,000 and give it to each State, regardless of the needs, regardless of the population, regardless of the mileage of roads, and regardless of any other consideration. In the last Congress the only reason offered for awarding that amount to the States was so that their apportionment might come up to over \$100,000. I submit if that is the true reason, then the \$65,000 ought to be given only to the States which, under the other terms of the apportionment, would not receive \$100,000; but if the State of Nevada gets only \$36,000 without this \$65,000, that is no reason why the State of New York and the State of Massachusetts should also get \$65,000 each. There should be some just and equitable basis for apportioning every dollar of this sum that you are seeking to appropriate here for this purpose. I say it is rank injustice to fix an arbitrary amount of \$65,000 and seek to distribute that among 48 States of this Union without any consideration or without any basis upon which the apportionment of the balance of this fund is considered. So, sir, I say that if you are going to attempt to pass this legislation and enact it into law and justify yourselves by saying that every dollar of this \$25,000,000 is going to be equitably dispensed and apportioned, you ought to strike out this sum as fixed in section 2 and put the whole apportionment upon the same basis.

There is no more reason for taking \$65,000 than there is for taking \$200,000 or \$10,000, and I submit that it is fair to all the States to put them upon the same footing, and not seek to carry up the amount into six figures by an arbitrary apportionment and computation such as has been arrived at in this section. I say, put the States on an equal footing, and do not increase the share of Rhode Island by \$65,000 and also increase the share of Pennsylvania by \$65,000 simply in order that Rhode Island may get over \$100,000, because, if it were left as the amount ought to be left, Rhode Island would get \$60,000, and then she would get only what she is justly entitled to under the basis of apportionment that is fixed in this bill. If you are going to seek to split up this apportionment and take one part of the appropriation and set it aside and say, "As to this part we will distribute this as a gratuity, regardless of mileage of road, regardless of population, or regardless of anything else except giving them some money," I say, that is wrong. It is not the correct way under the principle laid down by this bill. I trust that this amendment will pass.

Mr. SAUNDERS. Mr. Chairman, this provision for the flat payment of \$65,000 to each of the States, was included in the bill that passed last year. It was thoroughly discussed, and the reasons, presented in its behalf, were satisfactory to the House at that time. Now, unless we include that provision for \$65,000 flat, to each State, then Nevada, Delaware, Arizona, Wyoming, Rhode Island and Utah would receive such comparatively insignificant sums under our proposed scheme of apportionment, that the amounts appropriated for their benefit respectively, would be too small to be economically overlooked by the Department of Agriculture. So we provided this flat sum of \$65,000 for each of the States, and then distributed the balance of the appropriation according to the plan reported in the bill. The payment of \$65,000 to each of the States has taken a negligible amount from the sums that would otherwise have been received by the larger States, but it has worked out a very equitable result. The scheme of the bill is as fair and just a

plan of division, in my judgment as could be devised and a far better one than the plan proposed by the gentleman from Massachusetts. Any plan submitted could be criticized from some point of view.

I yield to the gentleman from South Carolina [Mr. BYRNES] one minute.

Mr. BYRNES of South Carolina. Mr. Chairman, I can add nothing to the reasons stated by the gentleman from Virginia [Mr. SAUNDERS] except this, that the idea of the equitable distribution of this fund that the gentleman from Massachusetts [Mr. WALSH] urges in his minority report is that the basis should be that of the rural population of a State to the total rural population of the country. Under that basis the New England States would receive much less than they receive in this bill, for the rural population of New England is 2 per cent of the entire rural population of the country. Therefore, inasmuch as no Representative from Massachusetts desires to protest against the amendment of the gentleman from Massachusetts [Mr. WALSH], which would take from his State some of the funds allotted to it under this provision, on behalf of the State of Massachusetts I protest, and I urge the equitable distribution which is provided for in this bill.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Massachusetts [Mr. WALSH].

The amendment was rejected.

Mr. MANN. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. Five and one-half minutes.

Mr. MANN. I move to strike out the last word, and I yield my time to the gentleman from South Dakota [Mr. JOHNSON].

[Mr. JOHNSON of South Dakota addressed the committee. See Appendix.]

Mr. TRIBBLE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The Clerk read section 3 of the bill, as follows:

SEC. 3. That as soon as may be after the passage of any act making appropriations under the provisions of this act the Secretary of Agriculture shall prepare and file in his office a statement showing the amount of such appropriation he has set apart to defray the expense of his department in the administration of this act and the amount of the balance which will be available for expenditure in each State and transmit a copy of such statement to the State highway department of each State which has such a department and to the governor of each State which has not such a department; that the State highway department of any State, after receiving such statement, may apply to the Secretary of Agriculture for aid under the provisions of this act in the construction or maintenance of any rural post road in such State; and if, in his judgment, such road is one to the proposed construction or maintenance of which aid should be given under the provisions of this act, then he shall request such State highway department to furnish him with surveys, plans, specifications, and estimates of cost of said proposed construction or maintenance and any other information which he may consider proper; that he shall examine said surveys, plans, specifications, and estimates of cost and determine what would be the reasonable cost of such construction or maintenance and what amount of aid will be given under the provisions of this act to such proposed construction or maintenance, which shall in no case be less than 30 nor more than 50 per cent of what he has so determined would be the reasonable cost of such proposed construction or maintenance, and shall forthwith transmit to said State highway department a written statement of his said determinations; that upon receipt of such written statement the said State highway department may transmit to the Secretary of Agriculture a statement in writing notifying him that such proposed construction or maintenance will be undertaken upon the terms proposed; that thereupon the proper authorities of the State may, in accordance with the laws of such State, commence and prosecute said construction or maintenance in substantial compliance with said surveys, plans, and specifications; that when the Secretary of Agriculture shall find that said construction or maintenance of said road has been finished in substantial compliance with said surveys, plans, and specifications he shall cause to be paid to the proper authority of said State whatever remains unpaid of the amount which he has stated, as hereinbefore provided, would be given to aid said State in said proposed construction or maintenance of said road; that the Secretary of Agriculture may, in his discretion, from time to time make payments upon such construction or maintenance as the same progresses, but these payments, including previous payments, if any, shall in no case be more than the pro rata part of the United States of the value of labor and materials which have been put into such construction or maintenance.

Mr. TOWNER. Mr. Chairman, I move to strike out the last word for the purpose of calling the attention of the committee to the language on page 3, line 7, where it says—

may apply to the Secretary of Agriculture for aid, under the provisions of this act, in the construction or maintenance of any rural post road in such State.

It occurs to me that you have omitted the most important thing that you and all desire who favor the passage of this legislation. It is not only the construction, which means the original building of the road, and the maintenance and continuation of the road, but it is doubtless intended that most of the

money that is appropriated under the terms of this act, if it shall pass, ought to be, and will be, appropriated for the improvement of existing highways; and therefore it occurs to me that the word "improvement" ought to be inserted after the word "construction."

Mr. SAUNDERS. May I interrupt the gentleman?

Mr. TOWNER. Certainly.

Mr. SAUNDERS. I will say to the gentleman that, so far as the committee is concerned, we are willing that the word "improvement" should be inserted.

Mr. TOWNER. Then, Mr. Chairman, I want to call attention to another matter. Immediately following that, in the next sentence, it says—

and if, in his judgment, such road is one to the proposed construction or maintenance of which aid should be given under the provisions of this act, then he shall—

So-and-so.

I think I understand what was the purpose of that language, but I greatly fear that it will not carry out the purpose of it. As the language reads, in my judgment, it will leave entirely to the discretion of the Secretary of Agriculture whether or not he will grant to any form of road which he may favor or refuse to grant to any road that he does not favor, because the qualifying words, interpreted grammatically, might be held to apply only to the clause that immediately precedes it and refer to aid under the provisions of this act.

I take it that is not the intention of the committee or those friendly to this bill. I think it is the purpose of the committee and those who favor this legislation that if at any time it is shown that any road shall fairly come under the provisions of this act, then it shall be the duty of the Secretary of Agriculture to do what the provisions of this act provide. I suggest language something like this, that instead of this language they should say, "and if the Secretary of Agriculture shall find that such construction, improvement, or maintenance is fairly under the provisions of this act, then," and so forth.

Mr. BORLAND. Will the gentleman yield?

Mr. TOWNER. Certainly.

Mr. BORLAND. How does the gentleman's language differ from that employed in the bill?

Mr. TOWNER. Very materially, because under the language that I propose the Secretary of Agriculture could determine whether or not it fairly came under the provisions of this act.

Mr. BORLAND. That is what must be determined under this act.

Mr. TOWNER. I think not; the language is very broad, which says, "if in his judgment said road is one where aid should be given."

Mr. BORLAND. Under the provisions of this act.

Mr. TOWNER. Certainly; but as I said before, that qualifying phrase, as the Secretary of Agriculture might interpret it, might be held to allow him to refuse aid to any form of road which he might not approve. It occurs to me that the language is indefinite. I think we want this appropriation to be made under the terms of this act and not leave it to the discretion of the Secretary of Agriculture whether or not he will approve of it.

Mr. BYRNES of South Carolina. Mr. Chairman, I offer the following committee amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, on page 3, by striking out all after the word "construction," in line 7, down to and including the word "maintenance," in line 22, and insert in lieu thereof the following:

"Improvement or maintenance of any road in such State, and if such road shall come within the provisions of this act, then he shall request such State highway department to furnish him with surveys, plans, specifications, estimates of cost, and any other information he may consider proper. The determination of the proportion of aid to be given any project shall be left to the State highway department and shall accompany the application submitted on the part of the State. The Secretary of Agriculture shall examine said surveys, plans, specifications, and estimates of cost."

Mr. BYRNES of South Carolina. Mr. Chairman, the amendment I have sent to the desk is offered on behalf of the committee. The language of the bill as reported provided that whenever there was proposed to the Secretary of Agriculture any given project, and the Secretary approved the project, he should notify the State of the amount of aid that would be given, which in no case should be less than 30 per cent nor more than 50 per cent. During the general debate criticism of that language was made by the gentleman from Illinois [Mr. MADSEN], the gentleman from Michigan [Mr. KELLEY], and one or two others upon the ground that it would place too much power in the Secretary of Agriculture. The impression prevailed that it would enable him to refrain from giving to a State the quota to which it is entitled under the language of the bill.

In my remarks in general debate I endeavored to explain that the committee in including this language in the bill intended to meet this condition. For instance, take the State of New York, where construction work to the extent of \$14,000,000 was engaged in last year, according to statements made upon the floor. That State receives under this bill about \$1,000,000. The State of New York may prefer to have the aid to which it is entitled under this bill distributed on a great number of roads, receiving but 30 per cent, instead of having that aid given to a few roads and receiving 50 per cent, while in the States where there is no great road fund 50 per cent will be desired. In order to meet conditions prevailing in the wealthier States, we included that language. Under no circumstances could the Secretary of Agriculture have deprived any State of one dollar of the quota to which it is entitled under the bill. Nevertheless, after consideration, I was convinced that there was much merit in the criticism of gentlemen that too much power was placed in the Secretary of Agriculture under this language if, though he could not take from a State one dollar of its quota, he could, if he desired to establish a uniform type of road, require of the State of Wisconsin, say, that it should construct a road which met with his idea of what every road in the country should be, and if the State authorities did not propose such type of road he could give to that State aid only to the extent of 30 per cent, and by using that as a weapon force them to adopt a type of road which, while it might meet with his approval, would be entirely unfit for the uses of the people of the State of Wisconsin. Therefore the amendment provides that the determination of the amount of aid shall be left to the State, so that the State can do that which the committee intended it should be entitled to do under the language of the bill as reported.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. TOWNER. I want to say that not only does the gentleman's amendment do that, but it corrects both of the objections to which I referred.

Mr. BYRNES of South Carolina. In the construction of this language the suggestion of the gentleman from Iowa [Mr. TOWNER] was considered because it occurs in the same page and same line, and we believe there is merit in that suggestion, and that the word "improvement" should be inserted, because, it is difficult to tell what construction would be placed on the language as the bill was reported to the House, and as it was the intention of the committee to enable a State to participate where a road was to be rebuilt as well as where a new trail was to be blazed. We feel, therefore, that the word "improvement" ought to be included so that there can be no doubt as to the meaning of the language of the bill.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. BORLAND. Mr. Chairman, I ask unanimous consent that his time be extended for five minutes.

Mr. BYRNES of South Carolina. I do not desire to have five minutes.

Mr. BORLAND. Two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BORLAND. Mr. Chairman, I want to ask the gentleman whether it was his intention in this amendment to cut out all reference to the State paying 50 per cent of the cost of construction?

Mr. BYRNES of South Carolina. No.

Mr. BORLAND. Because that is what his amendment has done, and if his amendment does not intend that, it should be redrafted.

Mr. BYRNES of South Carolina. I will say that there was no such intention. The amendment was hurriedly written, and that was omitted, and I will ask to have that inserted.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. GREEN of Iowa. If I correctly understood the amendment, it leaves out the words "rural post" before the word "roads" that is used now in the bill in line 7.

Mr. BYRNES of South Carolina. I do not think it makes any difference because the first section specifies the roads on which the aid could be given.

Mr. GREEN of Iowa. I thought it was done to make it conform to section 1 as amended.

Mr. BYRNES of South Carolina. I think it should.

Mr. SHACKLEFORD. I will say that that was the reason it was left out, that it might conform to section 1 as amended.

Mr. HAUGEN. Mr. Chairman, I desire to offer a substitute for the amendment.

The CHAIRMAN. The Clerk advises the Chair that the committee has offered a new amendment, or at least has changed the amendment. Does the gentleman desire to have that reported?

Mr. BORLAND. I think the committee asked leave to make their amendment conform to their original intent. They withdrew the amendment and offered it over again.

The CHAIRMAN. Does the committee desire to have it read again?

Mr. BORLAND. I think it ought to be reported again.

Mr. SHACKLEFORD. I will ask unanimous consent to have the amendment reported as it now reads.

The CHAIRMAN. The Clerk will again report the amendment.

The Clerk read as follows:

Amend, on page 3, by striking out all after the word "construction," in line 7, down to and including the word "maintenance," in line 22, and insert in lieu thereof the following:

"Improvement or maintenance of any road in such State, and if such road shall come within the provisions of this act, then he shall request such State highway department to furnish him with surveys, plans, specifications, estimates or cost, and any other information he may consider proper. The determination of the proportion of aid to be given any project, not to exceed 50 per cent of the total cost, shall be left to the State highway department and shall accompany the application submitted on the part of the State. The Secretary of Agriculture shall examine said surveys, plans, specifications, and estimates of cost, and determine what would be the reasonable cost of such proposed improvement, construction, or maintenance."

Mr. HAUGEN. Mr. Chairman, may I have the substitute reported?

The CHAIRMAN. The gentleman from Iowa offers a substitute to the committee amendment, which the Clerk will report.

The Clerk read as follows:

Page 3, line 8, after the word "State," strike out all of the remainder of the section and insert, in lieu thereof, the following:

"Provided, That no payment of the appropriations herein provided shall be made to any State until an equal sum has been appropriated for by the legislature of such State, or provided by State, county, local authority, or individual contributions from within the State for the construction and maintenance of the public road provided for in this act."

"That whenever any State has complied with the provisions of this act, the amount which has been apportioned to be expended in such State, which is hereby appropriated, shall be paid by the Secretary of the Treasury upon the warrant of the Secretary of Agriculture out of the Treasury of the United States to the treasurer or other officers of the State duly authorized by the laws of the State to receive the same, and such officers shall be required to report to the Secretary of Agriculture a detailed statement of the amount so received and of disbursements on forms prescribed by the Secretary of Agriculture."

Mr. HAUGEN. Mr. Chairman, the amendment proposed by me is in line with previous legislation, and provides that States shall provide for an amount equal to the amount apportioned to the various States. It seems to me that it is safe and proper to leave the determination of the type of roads to be built to the people within the State. The people within the State have knowledge of the material available for the building of roads, the type of road required, and can better determine what type of road should be built than the Secretary of Agriculture. I simply offer it as being in line with legislation heretofore enacted, so that there may be no dispute of authority.

Mr. SAUNDERS. Will the gentleman yield?

Mr. HAUGEN. I do.

Mr. SAUNDERS. That is precisely what the bill and what the amendment offered on the part of the committee propose to do, to leave the original selection of the type of road to be constructed to the State authorities. The Federal Government can put a veto on it, and you can not avoid it.

Mr. HAUGEN. But under the provisions of this bill every construction must be approved by the Secretary of Agriculture.

Mr. SAUNDERS. Certainly.

Mr. HAUGEN. Now comes the question—

Mr. SAUNDERS. And you can not get over that.

Mr. HAUGEN. Here comes the question. The Secretary of Agriculture—the director of roads—may determine that in our country it would be for the best interest of all concerned to construct a concrete road at an expense of five or six thousand dollars a mile—

Mr. SAUNDERS. No.

Mr. HAUGEN. And the State authorities might contend, as they do at the present time, that a gravel and clay road is the most available and inexpensive road, and therefore the clay and gravel road is preferred. Until that question has been settled the appropriation is held up, and no road built. In order to expedite matters I suggest that there should be no conflict between the authorities of the State and the Federal Government. This amendment is to avoid that and to expedite road building.

Mr. SAUNDERS. Mr. Chairman, if the gentleman has finished I desire to speak briefly in reference to the question raised. I see perfectly well what is in the mind of the gentleman from Iowa, and I thoroughly agree with him. If there is any one thing we worked over in the sessions of our committee, it was the provisions designed to leave the determination of the types of road to be constructed, improved, or maintained to the determination of the authorities of the States concerned. We have specifically provided in our bill, and in the amendment that we have just offered, that the State shall bring a project of road construction, maintenance, or improvement in the first instance to the attention of the Department of Agriculture, thus primarily determining the type of road that it desires to have constructed, improved, or maintained. There is however ample power to reject any project placed in the hands of the Secretary. On the exercise of this power he may conceivably reject all the projects submitted, save those that relate to the construction of the highest types of hard roads. He can simply say, "No," to any project submitted to him, giving any ground of objection that may occur to him as a sufficient reason for this action. He may even withhold his approval without giving any reasons therefor. In other words the Secretary of Agriculture may abuse that very discretion that we have confided to him with a view to the protection of the interests of the Federal Government. This of course is a possibility.

Mr. HAUGEN. Will the gentleman yield?

Mr. SAUNDERS. But I have no apprehension in my mind that in the practical execution of this bill any Secretary of Agriculture will undertake to lay down the law to any State, and take the position that he will not approve any project submitted, unless it relates to the construction, or improvement of some type of road that he has prescribed. I am perfectly willing to take my chances in this respect, feeling assured that any Secretary of Agriculture that may be hereafter appointed will do his duty, and execute the law according to its spirit and plain intent. Should he fail to do so, he will hear from this body without regard to its political complexion.

Mr. HAUGEN. I suggest that the remedy is to turn the money over to the State when the State has appropriated an equal amount; that you turn the money over to that State and leave it to the discretion and judgment of the authorities of that State to suggest what type of road shall be built and where and when.

And when the States have completed an equal amount, as they do under the vocational educational act and various other acts passed by this Congress, then leave it to the determination of the State. We have many excellent men in the department in this country, and great men, but their enthusiasm is liable to carry them away. They have less knowledge of the material available for the building of roads and requirements of that country than the people in their own country.

Mr. SAUNDERS. I will say, Mr. Chairman, that the difficulty about that suggestion is that as soon as you change this bill to meet the gentleman's views, you will arouse antagonism in some other quarter. We have adequately guarded the expenditure of the Federal portion of the money that will be expended in aid of road construction, and maintenance. Having had that in view, and it was proper to have it in view, we have given certain discretionary powers to the Secretary of Agriculture. These powers may be abused. That is always possible when discretion is vested in an official, but I do not think that as a practical proposition there is any danger of the results of abuse, and malfeasance that seem to be apprehended by some of the opponents of this bill.

Mr. TOWNER. Is it not true that the discretion is limited now, because under the terms of the provision the only discretion that can be exercised by the Secretary of Agriculture is whether or not the proposed road comes under the terms of this act?

Mr. SAUNDERS. I have stated that. He can simply put a veto on any particular project. He can not say affirmatively to a State that they must build this type of road, or that type of road, but, by abusing his discretion, I admit he can put a veto on any meritorious project. But I am not afraid of this action, as a part of a scheme by the Secretary of Agriculture to coerce a State, or direct its activities in road work along some prescribed course. He may of course err in his judgment with respect to some particular project. That is always conceivable with respect to any functionary filling a post calling for the exercise of discretion.

Mr. ROGERS. Will the gentleman yield?

Mr. SAUNDERS. Yes; I yield.

Mr. ROGERS. As I understood the amendment, it reads in part as follows:

The proportion of aid to be given any project, not to exceed 50 per cent of the total cost, shall be left to the State highway department.

Mr. SAUNDERS. Yes.

Mr. ROGERS. Now, if the State highway department asks for 50 per cent from the Federal Government, as it would be apt to ask, and the Secretary thinks it is a proper project that 30 per cent of Federal aid be given, he has no course but to accept the 50 per cent that he does not believe in, or take the other?

Mr. SAUNDERS. That is true. The change in the bill as reported was made to meet the objection that the discretion originally lodged in the Secretary of Agriculture afforded him an opportunity to play politics with a State. Hence we have taken from him the power to determine whether aid to the extent of 30, or 40, or 45, or 50 per cent of the total cost shall be afforded. Under the amendment that power will be vested in the State making the application. This change will not add to or take from the amounts apportioned to the several States.

Mr. ROGERS. Does not the gentleman jump from the frying pan into the fire in doing that?

Mr. SAUNDERS. Not a bit.

Mr. SHACKLEFORD. I would like to ask unanimous consent, Mr. Chairman, that debate on this section and all amendments thereto close in 30 minutes.

The CHAIRMAN. The gentleman from Missouri [Mr. SHACKLEFORD] asks unanimous consent that all debate on this section and amendments thereto close in 30 minutes.

Mr. ROGERS. Reserving the right to object, I should like five minutes. Can that be arranged?

Mr. SHACKLEFORD. I think so.

Mr. BORLAND. I would like five minutes.

Mr. SHACKLEFORD. Is the gentleman from Wisconsin [Mr. BROWNE] present?

Mr. BROWNE of Wisconsin. I am.

Mr. SHACKLEFORD. I ask that the time be limited to 30 minutes, and that the gentleman from Wisconsin [Mr. BROWNE] control half of it and that I control the other half.

Mr. WALSH. I object.

Mr. BORLAND. Mr. Chairman, I move to strike out the last word.

I regard this amendment, Mr. Chairman, as a very unfortunate amendment, and the substitute is a still more unfortunate proposition. I do not agree with the gentleman from Massachusetts that in most of the States the State will ask for 50 per cent on each proposition it submits to the Secretary of Agriculture. I do not think that can be the intention of the amendment. This bill contains not only the word "construction," but now, if the amendment of the gentleman from Iowa [Mr. TOWNER] is accepted the word "improvement" and also the word "maintenance" will be included. The evil of the old bill two years ago was that the money under it could all be spent for the temporary upkeep of unimproved roads, where the money would disappear before the next spring mud had cleared away. Under this bill, if it is amended by either of these propositions, the same thing is true.

If the Secretary of Agriculture has no discretion as to how the Federal money is to be spent, but must approve a proposition put up to him by the State authorities if the road comes within the purview of the roads mentioned by the bill, then it would be possible for the State authorities, under political pressure in their own States, to divide out the money into infinitesimal amounts to each particular road district in the State, and if there were 3,000 to 5,000 road districts in the State, as there are in some States, they would have to satisfy the demands of each one of those road districts. The result would be that you would have no money for real road improvement. You would have a little money before the primary in August to put from 20 to 50 men to work, but you would have no money for road improvement that would last until the December snow.

Mr. HAUGEN. Does the gentleman think that we should leave it to the legislature of the State?

Mr. BORLAND. I think to leave it to the legislature of the State to appropriate 50 per cent would be a better proposition. I think in the original proposition that the Federal Government should contribute not more than 50 per cent or less than 30 per cent, that the "less than 30 per cent" was, in my judgment, as important as "not more than 50 per cent," because that made certain that 30 per cent of work done on certain roads in the State would be under Federal supervision. The 30 per cent provision is so material a contribution to the road that it will guarantee a certain amount of definite improvement on that road. But if the contribution were reduced to 1 per cent or one-half of 1 per

cent, it would be utterly impossible for the Federal money to be safeguarded.

Now, this wording still leaves in the words that "the Secretary shall demand such other information as he sees proper." But, if his hands are to be tied, I do not know what other information about these roads he could deem as proper to demand. I think he should have the right to demand other information, if he sees proper, to wit, the number of improved roads in the State, whether the State has any means of maintaining roads after they are constructed, and whether the taxing power is sufficient for that particular purpose. But if you are going to tie the hands of the Secretary and say that he must approve a proposition put up to him by the State authorities, you are going to have him in some States, I fear, not approve propositions for roads, but approve propositions for the temporary maintenance of unimproved roads.

There will be the pressure within the States, and naturally so, to divide the money equally between all the road districts, and that will give no road district enough to improve any road. Now, the Federal Government is not entering into any such proposition. To enter into such a proposition would be perfectly hopeless, and if we ever did enter into it there is not a man on this floor who would escape the constant effort to have that little dribble increased in favor of the local district. There was not a greater evil in the old bill, which was defeated two years ago, than that very proposition that all the Federal money could be and would, so far as we could see, be wasted in the temporary upkeep of roads.

If this money is going into roads, I am for it. If it is going into politics I am against it. I believe the farmers and the business men of this country would be against it in the latter event. They want roads and not politics, and they demand that there shall be legislation for the benefit of roads and not politics.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. BARNHART. Mr. Chairman, I move to strike out a sufficient number of words to enable me to say something. [Laughter.]

The CHAIRMAN. The gentleman from Indiana [Mr. BARNHART] is recognized.

Mr. BARNHART. Mr. Chairman, there seems to be a wide difference of opinion on this amendment and on the bill as to how far the authority of the States and of the Department of Agriculture should extend in the control, building, and maintenance of the roads to be aided by this legislation.

Indiana, I believe, according to the records, has more miles of good roads according to its area and its road mileage than any other State in the Union. We have built these roads at a very large expense to the taxpayers of the State. In a great many instances they have been built under the supervision and direction of overseers, who were novices at the business, and the precaution in the amendment and in the bill that provides that the Secretary of Agriculture must approve the plans and specifications is one of the valuable features of the bill, for the reason that some States, through political favoritism and otherwise, might select civil engineers for road work who would make plans that were faulty and to which no practical builder would give his approval.

Another matter, Mr. Chairman, and that is in the maintenance of these roads. It is not true that a road that is built under the specifications of a civil engineer necessarily wears out less rapidly than one that has been made by some competent country road supervisor. There is not anything in that argument, and gentlemen who have to do with country roads will agree with me on that proposition. Therefore, the purpose of the bill, to delegate to the Secretary of Agriculture the final word on the plans and specifications, is the one important feature of the bill and the one strongly favored by the people throughout the country who have been paying for the improvement of roads all these years, and many times spending money for improvements that are worth practically nothing. They are in favor of having some competent executive head pass upon all the plans and specifications for these roads and approve them before the people are asked to put up the money for their construction.

Therefore I feel, Mr. Chairman, that the argument of the gentleman from Missouri [Mr. BORLAND] is not only far fetched but irrelevant to the subject in hand; and while the committee has sought from every possible standpoint to protect this bill against the possibility of the expenditure of money by novices, or spending money upon roads that it would be impracticable to try to improve, it seems to me that we have fixed the authority in this bill exactly where it belongs. And moreover, if the Secretary of Agriculture—

Mr. BORLAND. The gentleman misunderstands me. I am arguing for exactly and precisely the same thing that he is. I am

arguing for this control by the Secretary of Agriculture over the plans and specifications.

Mr. BARNHART. Yes; but I disagree with the gentleman as to the Secretary of Agriculture having jurisdiction as to what roads are to be improved. I insist that he should have supervisory control over the plans and specifications, but that the State, or the local road officials, should have the initiative in the matter, and the say-so, so to speak, as to what roads should or should not be improved with the approval of the Secretary of Agriculture.

Mr. BORLAND. Then the gentleman is opposed to the amendment.

Mr. BARNHART. No. I am in favor of the amendment.

In this connection, Mr. Chairman, I want to give a few observations on the merits of this bill which I, as a member of the Committee on Roads, helped to formulate and report for passage. The theory of this legislation is that it will help every section of the United States that will help itself in road improvement. For instance, any community that levies a road tax for the construction and maintenance of roads will receive from the Government 30 to 50 per cent of the cost of good roads and their upkeep if it will build them according to specifications that will make an efficient and durable road.

In the Indiana county in which I live the country at large would help to pay our road taxes and in fairness it ought to do so for two reasons. First, it would necessitate the building of all roads according to plans approved by Government experts; and second, the city automobilists who pay no road taxes wear out more roads with their big, high-powered automobiles than those who are now building and keeping up the roads. The public highway is the means of bringing the farmer close to the market and taking the market close to the farmer. If the roads are good the cost of transporting products is reduced to the minimum, and the farmer gains thereby, and he can also afford to sell his products cheaper to the consumer, because his marketing expense is reduced.

Mr. Chairman, I really have little to add to what I said in a speech on a similar bill in a former session of Congress; but I must call attention to the fact that if this demand for larger military preparedness is to be granted, good roads, over which military equipment could be rapidly and economically transported, are of first importance. And of all the preparedness we may provide, the money spent in improving roads is probably the only investment that will prove helpful in both war and peace. If we build these good roads, they will be useful if war should come, and if not—which God grant may be the outcome—the people can use the good roads profitably in peaceful pursuit of both business and pleasure. It is a good bill; it gives the rural taxpayer millions some direct returns for the taxes they pay instead of giving it all to rivers and harbors and to big cities, as has heretofore been done, and I earnestly hope it will become a law. It is high time the farmers and the dwellers in small cities and towns shall have some of the direct benefits of the Government taxes they pay.

Mr. RICKETTS. Mr. Chairman, I move to strike out the last word. I desire to be recognized.

The CHAIRMAN. The Chair can not recognize the gentleman at this time.

Mr. ROGERS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ROGERS. Is it in order to propose an amendment to the committee amendment at this point?

The CHAIRMAN. It is.

Mr. SHACKLEFORD. Mr. Chairman, there is a substitute pending, I believe.

The CHAIRMAN. One is a substitute for the entire amendment.

Mr. ROGERS. The amendment that I desire to propose, Mr. Chairman, is to strike out the word "fifty," where it appears in the committee amendment, and substitute therefor the word "twenty-five."

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend the committee amendment by striking out the word "fifty," and inserting in lieu thereof the word "twenty-five," so that the lines will read, when amended: "The determination of the proportion of aid to be given any project not to exceed 25 per cent of the total cost shall be left to the State," etc.

Mr. ROGERS. Mr. Chairman, I assume that the purpose of a bill of this sort, as proposed in a Federal enactment, must be to stimulate the building of roads by the several States. I think that if it does not have that purpose, and in so far as it falls short of that purpose, it is not a proper subject of Federal supervision and legislation.

As drafted by the committee, this amendment would require the expenditure by the States, taken altogether, of the same \$25,000,000 as is authorized to be expended each year by the Federal Government. That is, the States together would put in each year \$25,000,000 just to match the \$25,000,000 that was put in by the Federal Government.

Now, this is, as I say, a question of stimulation, a question of stimulating the activity of the several States to build roads. If the proportion of Federal aid were 25 per cent instead of 50 per cent, I think no one would dispute that the States would equally take the steps which would be necessary in order to get their quota of the \$25,000,000 fund; and, of course, the result of changing the percentage would be that the States, taken together, would be obliged to put in \$50,000,000 instead of \$25,000,000. In other words, all the States would take the steps to get their respective allotments, and in order to do that they would have to put in twice as much on their own account to build State roads.

In other words, we would be getting an assurance of \$75,000,000 a year on this project, of which the Federal Government would put in one-third, instead of the assurance of spending but \$50,000,000, of which the Federal Government would be putting in one-half. It seems to me that there can be no objection to this proposal. It simply carries out the self-help idea and makes it stronger, and makes it certain that there will be more roads constructed throughout the Union as the result of the passage of this act. I think that it was a mistake for the committee not to leave some discretion in the hands of the Secretary of Agriculture, and that there might well be cases where the Secretary would say that there should be 40 per cent of Federal aid put in upon a certain project, but not 50 per cent. Yet under this plan the State itself must prescribe the amount which shall be expended, and the Secretary of Agriculture has no discretion whatever. He can simply say "Yes" or "No." I think that, in spite of what the gentleman from Missouri [Mr. SHACKLEFORD] says, the State will in every case ask for the entire 50 per cent. That is the maximum allowed by the bill, and I can not imagine that a State will ever seek to get less than the maximum amount it is permitted to obtain.

Therefore, Mr. Chairman, it seems to me that the whole committee amendment on this point is ill advised, and if it is to be adopted we ought to change the maximum from 50 per cent to 25 per cent.

Mr. BROWNE of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Wisconsin.

Mr. BROWNE of Wisconsin. I should like to ask the gentleman, if we accept his amendment, will he vote for the bill?

Mr. ROGERS. I will vote against the bill with less enthusiasm if you accept my amendment.

Mr. RICKETTS. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman from Ohio [Mr. RICKETTS] asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. SHACKLEFORD. Mr. Chairman, I again renew my request that we may have some agreement as to the length of time that the debate shall continue on this section.

Mr. MANN. We would like 15 minutes on this side.

Mr. SHACKLEFORD. Mr. Chairman, I ask unanimous consent that debate on this section and amendments thereto close in 25 minutes—15 minutes to be controlled by the gentleman from Illinois [Mr. MANN] and 10 minutes by myself.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that all debate on this section and amendments thereto close in 25 minutes—15 minutes to be controlled by the gentleman from Illinois [Mr. MANN] and 10 minutes by himself. Is there objection?

There was no objection.

Mr. SHACKLEFORD. Will the gentleman from Illinois use some of his time?

Mr. ELSTON. Mr. Chairman, I ask the Clerk to read an amendment which I send to the desk.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

Mr. WOOD of Indiana. Mr. Chairman, a point of order. As I understand it, the gentleman from Massachusetts [Mr. ROGERS] has an amendment to the amendment which has not been disposed of.

The CHAIRMAN. The point of order is well taken. The question is on the amendment offered by the gentleman from Massachusetts [Mr. ROGERS] to the committee amendment.

The question being taken, the amendment was rejected.

Mr. ELSTON. Now, Mr. Chairman, I offer my amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from California [Mr. ELSTON].

The Clerk read as follows:

Amendment offered by Mr. ELSTON: At the end of the section insert the following:

"The apportionment to each State as herein determined shall be available to such State under the provisions hereof for a period of five years after such apportionment is made."

Mr. MANN. I yield to the gentleman from California [Mr. ELSTON] five minutes.

Mr. ELSTON. Mr. Chairman, this amendment is in line with the observations which I made upon the bill the other day. In the State of California we have, in a way, temporarily exhausted ourselves by appropriations for good roads. We have spent \$18,000,000 on the part of the State in building trunk-line roads within the last few years. The counties have contributed almost a like amount, and I should say offhand that we have recently spent, altogether, nearly \$50,000,000. Now our plan is a contributory plan, something like the provisions of this bill, and I believe that most of the counties in our State would like to lie fallow for a while. I think they have stripped themselves of money available for these purposes for some time to come.

Another consideration that I wish to bring before the House is this: I see nothing in this bill providing for legislation within the State for the distribution of this bounty that comes from the Federal Treasury. For instance, we have a highway commission which was organized with the idea of spending State moneys only. If this bounty comes into our State, I venture to say that there is no provision at all on our books for the equitable distribution of this money to the various political units of the State or for its application to our State system. If our highway commission is notified that there is subject to its order something like \$600,000 or \$700,000, it will have no authority to proceed with its distribution. As we all know, executive officers have little discretion. Our commission might be blocked until legislation is passed that would permit equitable distribution of this bounty coming from the Federal Government. I imagine many other States would be in a like situation. Now, if such legislation is not passed in the State to meet the provisions of this bill, the State highway commissioner, or other officer in the State who receives this bounty or who is to dispense it, might distribute it by favoritism or preference. I can not conceive of any equitable or legal way to distribute it unless the States themselves legislate upon the subject. That may take several years. It may take several years for my State to put itself in a position where it can take advantage of this act. At this time we might be able to take advantage of this subsidy only by making a plea for maintenance. To make that plea we would have to stretch matters somewhat, because we might have to say to the Federal Government that we needed \$600,000 or \$700,000 a year for the purposes of maintenance, and we can not tell exactly what the construction of the Secretary of Agriculture will be as to the scope of the word "maintenance." He might say that our particular requirements in the way of maintenance do not mean maintenance according to his construction of the act. I imagine that it may take some time to prepare ourselves to receive the benefits of this bill. I believe five years' time is none too long for the money to lie in the Treasury to the credit of the State. Otherwise a State might lose its apportionment by lapse into the Treasury at the end of the biennial period.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The question was taken, and the amendment was rejected.

Mr. MANN. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Chairman, I am in favor of good roads. Having been born and reared upon a farm, in Warren County, Mo., I am, in my judgment, the better able to realize their necessity. The farmers of our country are important factors in our development and material progress. That which is for the benefit of the farmers must also be for the best interest of the merchants and people who live in the towns and cities. I represent a district in the great and splendid city of St. Louis, and I am sure I voice the best sentiments of that people in giving my support to any feasible scheme that will enable the United States Government to assist the State governments to establish better highways. The people of my district pay as great a proportion of taxes to the United States Government as perhaps 10 other districts in Missouri, outside of St. Louis and Kansas City. Yet we are willing to aid the farmers to the end that every possible facility be given to the establishing of good

roads in order that the commerce of the country may be marketed as easily and as cheaply as possible. Yet, Mr. Chairman, I am not in favor of this Federal aid becoming a political asset, to be used by whichever party may be in power in the various States, as I fear would be the case should this amendment be agreed to. The United States Government should have the supervisory control and the authority to see that the money thus expended is for the benefit of the people generally, and to the end that some splendid roads and highways may result therefrom.

I have not much confidence in any legislation that the Democratic Party is able to enact. Since they have been in power, practically all the laws they have caused to be written in the statute books are injurious to the farmers and the people generally. But the farmers of this country are fast coming to realize and to know that their prosperity of the past and of the future has and must come from the wholesome laws of the Republican Party. This is also especially true as to good roads, for that will only be realized under the next Republican administration. Even should this bill pass, which I do not think there is any intention that it shall, there would be no money to carry out its provisions. To prove this, we have only to refer to the President's message delivered to this Congress on the 7th of December last. In that message, he said:

Assuming that the taxes imposed by the emergency revenue act and the present duty on sugar are to be discontinued, the deficit in the general fund of the Treasury on the 30th of June, 1917, will be \$235,000,000.

While the "war tax" or emergency revenue act, as the President calls it, was reenacted by Congress, since the President delivered his message, and while it is also evident that the "free sugar" act will be repealed, there will still be an enormous deficit in the Treasury. The President is now asking for millions for preparedness, and so forth, and therefore we all know that there will never be any appropriation made during this administration for good roads. This bill, therefore, is apparently only to try and jolly the farmers along until after the next election. "It is molasses to catch flies." The principal purpose of the Democratic Party is to stay in office, and to do this they are willing to go the limit to deceive the farmers and the people. This Democratic administration is even trying to convince the farmers that their prosperity now is due to laws enacted by them. The farmers well know, however, that their present prosperity is due to the war in Europe. For instance, they know that the sale of wheat to Europe during the first year that the Underwood tariff law was in force amounted to only \$103,595,000, while during the first year of the war this increased to the sum of \$316,262,000. This is due to the large armies in Europe that had to be fed. This is also a fact with reference to other things that the farmers sell. During the same period the sale of breadstuffs increased from \$181,484,000 to \$567,607,000; hay, from \$790,000 to \$2,263,000; meats and dairy products, from \$138,736,000 to \$243,098,000; sugar, from \$4,341,000 to \$36,816,000. Mules, which are raised by our Missouri farmers in abundance, increased from \$622,000 to \$18,041,000, and horses from \$3,177,000 to \$82,276,000.

The farmers are prosperous for the reason stated, as well as for the reason that our many factories and mills are in full blast now manufacturing products for the armies in Europe, and which gives to American labor employment, thus enabling them to buy foodstuffs in abundance from the farmers. For instance, we see from the statistics that during the year that the Democratic tariff law was in force prior to the war that we only sold to Europe wool goods to the value of \$4,753,000, while during the first year of the war the sale of these goods increased to the extent of \$32,037,000; during the same period we saw the sale of men's shoes for our European trade increase from \$9,603,000 to \$22,669,000; other goods manufactured from leather increased during this period from \$43,390,000 to \$90,804,000.

I know these facts not only from the statistics but because there are more shoes manufactured in my district than there is in any other in the United States. My district also manufactures much harness and saddlery that has been and is going to Europe. During the first year under the Democratic tariff law this country sold to Europe \$793,000 worth of harness and saddlery, yet during the first year of the war we sold \$18,434,000 worth. Missouri is a great zinc-producing State, but the Underwood tariff law would have ruined it entirely had not the war in Europe come along. Zinc is used in the making of shells, and so we increased our sales to Europe from \$785,000 worth in the year before the war to \$26,323,000 worth during the first year of the war. This is also true of lead, brass, steel, and other things that go to make shells and munitions of war. Our gain during this period for steel amounted to 186 per cent, firearms 265 per cent, wire 153 per cent, explosives 1,050 per

cent, tools 175 per cent, medical appliances 231 per cent. Taking the same period we find that, in the first instance, our railroads were idle, cars were standing still, and railway business in bad condition; yet now these cars are all being used carrying provisions and munitions of war to the ocean to be sent to Europe. The shipyards are busy building ships for Europe; the automobile manufacturing industry is greatly increasing. We sold automobiles to Europe during the first year of the war worth \$92,000,000—170 per cent gain over the year preceding that.

The farmers of our country are intelligent, and they have passed that stage when the Democratic Party can longer deceive and fool them. They know that protection to their industries is necessary, and that had not the war of Europe come they would be in the same condition to-day that they were in during the administration of Cleveland. Free cattle from Canada, Argentine Republic, and South America would have ruined that industry had not these countries found markets for their products over in Europe. The farmers of the country will take the first opportunity to restore the protective tariff. Otherwise they will suffer terribly when the war in Europe closes and these millions of men return to civil pursuits, and thereby compete with the people of this country in the products of the American farm, mill, and mine. Our first duty, therefore, is to drive from power the present administration, and then to encourage prosperity at home as a permanent thing. The protective tariff is absolutely necessary to do this. It raises the revenue to run the Government and is practically paid by the foreign manufacturers. It also protects our labor against the cheaper labor of those countries. It also protects us against child labor.

The Democratic administration realizes now that its Underwood tariff law has been a failure, and that the free-trade and revenue-tariff law such as they enacted will not suit the needs of the people of this country. We see the President of the United States now advocating a tariff board. He has already declared in favor of the protective tariff on sugar. Both of these things he declared against during his campaign for the Presidency. In fact, the Baltimore platform has been repudiated so many times by the President that I doubt if any of its framers would now recognize it. First, we find that he gave special indorsement to that provision of the platform which allowed free passage to American coastwise ships through the Panama Canal.

When he had become the President he asked for and secured the repeal of that law. He has never told us why he changed his mind upon that. Some years ago the President regarded Mr. William Jennings Bryan with disfavor and wanted to destroy his influence with the party, yet as the Baltimore convention came on Mr. Wilson sought Mr. Bryan's support and acclaimed him a great Democrat, and Mr. Bryan supported Mr. Wilson at Baltimore, and Mr. Wilson appointed Mr. Bryan Secretary of State. Now we find the President in favor of preparedness, yet only a short time ago he was against that. Not over a year ago he was against a tariff commission, yet now he has come out publicly in favor of that. We do not know what he will do next. He has almost indorsed the Republican position upon the tariff, and probably before election time he will be a higher protectionist than any Republican ever was. Yet, Mr. Chairman, will the farmers of this country follow the President in his many changes? Will they not say at the next election that they would rather support the party that has fixed principles and maintains them year in and year out? The Republicans have been in favor of a tariff board for a long time. They had one established during the administration of President Taft, but it was abolished by the Democrats as useless. The position of the Republican Party on this question was clearly stated by President Taft in his letter of acceptance of the Republican nomination in 1912, when he said:

The American people may rest assured that should the Republican Party be restored to power in all legislative branches all the schedules in the present tariff of which complaint is made will be subjected to investigation and report by a competent and impartial tariff board and to the reduction or change which may be necessary to square the rates with the facts.

It is only necessary to refer to the CONGRESSIONAL RECORD of past Congresses to find that the leaders of the Democratic Party have year in and year out declared that it was unconstitutional to collect tariff duties except for revenue. They called the protective tariff "tariff robbery." The platforms of the Republican Party have for years declared for protective tariff and for a tariff commission. The last declaration of my party upon this question was as follows:

The pronounced feature of modern industrial life is its enormous diversification. To apply tariff rates justly to these changing conditions requires closer study and more scientific methods than ever before. The Republican Party has shown by its creation of a tariff board its recognition of this situation and its determination to be equal to it.

We condemn the Democratic Party for its failure either to provide funds for the continuance of this board or to make some other provision for securing the information requisite for intelligent tariff legislation. We protest against the Democratic method of legislating on these vitally important subjects without careful investigation.

How fast the President is coming to the Republican position upon a tariff commission is evidenced by the fact that the position of the President is practically the same as that contained in the bill H. R. 154, introduced on the 6th of last December by Congressman NICHOLAS LONGWORTH, of Ohio. Section 3 of Mr. LONGWORTH'S bill is as follows:

That it shall be the duty of said commission to investigate the cost of production of all articles which by any act of Congress now in force or hereafter enacted are made the subject of tariff legislation, with special reference to the prices paid domestic and foreign labor and the prices paid for raw materials, whether domestic or imported, entering into manufactured articles, producers' prices and retail prices of commodities, whether domestic or imported, the condition of domestic and foreign markets affecting the American products, including detailed information with respect thereto, together with all other facts which may be necessary or convenient in fixing import duties or in aiding the President and other officers of the Government in the administration of the customs laws, and said commission shall also make investigation of any such subject whenever directed by either House of Congress.

The thing that the farmers of the country want above everything else is good markets for their products. The protective tariff gives that to them. Mills, factories, mines, and everything are prosperous when that law is in operation. It has been so in the past, and it will be so in the next administration. We want a just tariff. We want a tariff that will equal the difference between cost of production at home and abroad. This principle takes into consideration cheap foreign labor, child labor, convict labor, and so forth. The important question is to establish that principle in law and to keep in there. Then we should have a tariff commission, as suggested by Republicans many times, and which we had in the last administration, but which was abolished by the Democrats.

This tariff commission should be charged with the duty of getting data that can be secured bearing upon the subject of tariff, and analyze, classify, and arrange the same so that it will be readily available for the use of the Congress, which, under the Constitution, is the only body authorized to fix the tariff. It should be a nonpartisan commission, and not such a commission as would be appointed by President Wilson should he have the power. Every commission that he has appointed, including the Federal Reserve Board, has been strictly partisan. The mind of the President does not contemplate the finding of efficient and patriotic men to gather this information except within his own party. For that reason a tariff commission appointed by the President would not be of any benefit. The present administration has failed utterly, even after it has shifted its position numerous times, and the people of this country who believe in protection are only waiting for the opportunity to correct the mistake which they made at the last election, when by dividing they allowed a minority party to come into power. All responsible for that are truly sorry, and they will make good their mistake in a patriotic way by giving their votes in the next election for the Republican candidates for President and Vice President. And, Mr. Chairman, the intelligent farmers of Missouri and of the Nation will do their part to bring this happy result about.

Therefore, Mr. Chairman, for this reason, among many other good ones, I am pleased to vote for this bill for good roads in order to show my appreciation of the sturdy men and women of the farms—they who have done so much for our great Republic. My vote for this bill will not bring us good roads, as I have stated above, because we have no money in the Treasury; but it is a declaration that the Congress of the United States favors helping the farmers to market their products and to give them good roads for that purpose. But we will have to wait till the Republicans come into power and restore business and replenish the depleted Treasury before we can actually do anything along the lines indicated in this bill. But we have to start it going, and if only to establish the principle involved in the bill I hope, Mr. Chairman, that in its best possible shape it will become a law. [Applause.]

Mr. McLAUGHLIN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 4, line 7, strike out all after the semicolon and insert the following: "That the proper authorities of the State shall be required to report to the Secretary of Agriculture on or before the 1st day of December of each year a detailed statement of the amount of money received under this act during the previous fiscal year and of its disbursement on forms prescribed by the Secretary of Agriculture; that if any portion of the moneys received by the designated authorities of a State under this act shall by any action or contingency be diminished or lost or be misapplied it shall be replaced by said State, and until so replaced no subsequent appropriation shall be apportioned to said State; that if the Secretary of Agriculture shall withhold from a State the whole or any part of an allotment of money under this act the facts and reasons therefor shall be reported to the President and the amount

involved shall be kept separate in the Treasury until the expiration of the Congress next succeeding a session of the legislature of the State from which allotment of money has been withheld, in order that the State may, if it shall so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such money to be paid it shall be covered into the Treasury."

Mr. MANN. I yield to the gentleman from Michigan [Mr. McLAUGHLIN].

Mr. McLAUGHLIN. Mr. Chairman, as I have said before during consideration of this bill, I approve its purpose to provide money from the Federal Treasury to assist States in construction and maintenance of their highways; but the bill is faulty in some respects, and its operation will be cumbersome and expensive if enacted in its present form. My amendment is offered with the idea of lessening the expense of administration and to make the law more satisfactory to the States. The amendment follows as nearly as may be the provisions of the Lever agricultural-extension law, approved May 8, 1914, under which each State receives an allotment of money each year for agricultural-extension work, to be carried on by the agricultural colleges in cooperation with the Department of Agriculture. If the amendment is adopted it will not be necessary for the Secretary of Agriculture, before paying money to a State, to examine all work which has been done on all highways by employing a vast number of inspectors or clerks in the department. It would seem to me that if we are going to avoid danger of using too much of the money to be provided by this road bill for administration, if we are going to prevent or limit as far as possible the employment of inspectors to run over the States to look over the road work that has been done, causing all kinds of trouble, distrustful of the States, we should adopt this amendment. Many gentlemen of the House would, I think, be surprised if they knew how much of an appropriation made by Congress and intended for practical work is used by the departments in "administration." I recall that only a few years ago the Secretary of Agriculture and other officials of that department told the Committee on Agriculture of the wonderful things they had accomplished, of the results of their investigations and experiments and analyses, and of the great benefit they would be able to confer upon the business of agriculture of the country—that agriculture could be revolutionized—if they had opportunity of taking the results of their work directly to the farmers of the country in such form or in such a way as to make them easily understood and readily available. We said, "Then, all you need is money for practical work?" They replied, "Yes"; and on the recommendation of the committee large appropriations were authorized for practical work, and it was not at all satisfactory to us to learn later that the department was devoting a large portion of the appropriation and had arranged to use large portions for salaries of clerks and other employees in the department; that is, in administration.

But I should like to speak of the bill as a whole and of its purpose to provide Federal aid to the States in the construction and maintenance of highways. I shall, if I have time, refer again to my amendment, which is offered for the purpose of making the machinery of this bill correspond to that of the Lever law, by which the Department of Agriculture is operating smoothly and satisfactorily with agricultural colleges.

This bill, in its main features, has my hearty support. It does not meet my views entirely, but it is certainly a step in the right direction; it is a proper, although tardy, response on the part of the Congress to an insistent demand of the country. The amount of money which may annually be appropriated if this bill becomes law, is small, but later, when ineffective and oppressive revenue laws shall be repealed and a system of wise laws which always provide revenue sufficient for every proper activity of government are enacted, this law can be and will be amended and more money will be appropriated.

What are the important provisions of this bill? It authorizes an annual appropriation of not more than \$25,000,000 to be used and disbursed under the direction of the Secretary of Agriculture, as follows: The Secretary shall deduct the sum which he shall deem necessary to defray the expenses of his department in the administration of the act and apportion the balance among the States in the following manner: Sixty-five thousand dollars shall be paid to each State and one-half of the remainder in the ratio which the population of each State bears to the population of all the States as shown by the latest Federal census, and the other half of such remainder in the ratio which the mileage of rural free delivery and star mail routes in such States bears to the mileage of rural free delivery and star mail routes of all the States; the State highway department of any State may apply to the Secretary of Agriculture for aid under this act in the construction and maintenance of rural post roads, and the highway department shall furnish the Secretary with

surveys, plans, specifications, and estimates of cost of the proposed construction or maintenance and any other information which he may consider proper; after examination and approval of such surveys, plans, specifications, and estimates of cost, the Secretary shall determine the amount of aid to be given, which, in no case, shall be less than 30 nor more than 50 per cent of the reasonable cost of such improvement; when such work of construction or maintenance shall have been completed, the Secretary of Agriculture shall determine whether or not the work has been done and finished in substantial compliance with the surveys, plans, and specifications which were submitted by the authorities of the State, and upon favorable determination of that matter, he shall cause to be paid to the proper authority of said State whatever remains unpaid of the amount allotted to the State under this act; the Secretary of Agriculture may make or cause to be made such inspection and examination of any road constructed or maintained under this act as he shall deem necessary, and, for that purpose, shall have power to employ such assistants, clerks, and other persons in the city of Washington and elsewhere, to purchase such materials and supplies, and to prescribe such rules and regulations for the administration of this act as he may consider expedient; all payments of money from appropriations of this act shall be made by the Treasurer of the United States upon warrants drawn by the Secretary of Agriculture.

The work of the committee in preparing this bill, or the result it has tried to reach, meets my hearty approval because it recommends Federal aid in construction and maintenance of the common highways of the country, and not construction of a few expensive trunk lines between large cities or over or through a portion of country to be reached or traversed solely or principally by sight-seers or pleasure seekers. The intent and plain purpose of this bill is to provide appropriations for construction of roads from farming sections to railroad stations and market towns for practical, everyday, necessary use of the people in carrying on their business, and not for construction of roads for joy riding or for use of automobiles alone. Money available under this law will very likely for some years be used in building and maintaining highways over which rural mail is carried, roads in which the Federal Government, in conducting its post-office business, is directly interested. Improvement of post roads is, perhaps, the first duty of the Federal Government, and for some time this use of money will confer as much benefit and offer as much assistance and encouragement to the States as can reasonably be expected. And, besides, I believe that roads over which rural mail is carried are now the main roads or the principally traveled roads in almost every rural community. But as time goes on, as the wisdom of this law is proven by experience, and as larger sums of money are available the work can and will be extended to assisting the States in construction and maintenance of other roads. There is practically no limit to the need of good roads or to the benefit that will accrue from their construction. I am so much pleased with the evident willingness of Congress to admit its duty to the people and to see the work begun on a limited scale that I am not disposed at this time to criticize the plan proposed by this bill on the ground that it does not go far enough. It will prove the value of the policy and the good work will be properly extended.

Some gentlemen who have spoken in opposition to this bill evidently do not appreciate the need and the benefit of good roads; they seem not to know that a system of roads, properly constructed and maintained, is necessary to the improvement and development of every part of the country. Other gentlemen, while admitting the necessity and benefit of good roads, insist that the advantage is entirely local; that it is the duty of the people of portions of the country in which the advantage is to be enjoyed to bear all expense themselves; and that the purpose and effect of this bill will be to impose local duties and local burdens upon the Federal Government.

I hardly know what to say to these gentlemen, or, rather, hardly know how or where to begin to offer facts and arguments to convince them of their error. My time is limited, and, besides, the converse of the position taken by these gentlemen is so clear to me as the proper view to be taken that it ought not to be necessary to spend time and effort to disprove their statements. It is doubtful if there is any public improvement more necessary than the building of country highways, or any expenditure of public money (from whatever source it may come) that will result in greater development or conduce more to the general welfare of the country than in the construction and maintenance of our country roads. Good roads running between railroad stations and the farms, and leading from the farms to the market places, are absolutely necessary alike to the proper and profitable business of railroads and market towns and to the business of the farms. Construction of railroads

and their proper management provide some of the facilities and solve some of the problems of transportation, but these problems will not be solved, in fact will not approach solution, until the people of the country, assisted as they must be by Federal legislation, are able to construct and maintain systems of highways connecting stations with farming sections of the country and with places not reached by railroads. Many of the railroads of the country have been assisted by contributions of money and other property by the Federal and State Governments; the building of railroads has very properly been encouraged and in some instances greatly assisted by donation of public land and by Government guaranteeing payment of the bonds of the companies. The people have usually approved the efforts made and the means used to encourage and assist in the construction of railroads; they know the necessity of railroads and they appreciate that wonderful growth and development have come as the result of their construction and operation. But while generally approving the assistance which has been given to railroads and, I may add, to rivers and harbors, the people feel the Government has overlooked the need of improved country highways, and has failed to perform its duty to encourage and assist in their construction.

The building and maintaining of good roads is not entirely a local need or a local benefit; the matter of expense of transporting farm products, whether the profit shall be large or small, does not concern the farmers alone; it concerns all the people. If there is no road from a farm to a market, or if travel over a road is difficult and expensive, the farmer may be unwilling or unable to dispose of his products; or if he takes them to market he may demand and possibly be able to receive higher prices than consumers are able or ought to be required to pay. The almost inevitable result of such a situation is, however, that the farmer, in spite of trouble and expense, will take his products to market and will receive therefor such price as the buyer is willing to pay, a price which will yield him smaller profit than his investment and his labor fairly entitle him to; smaller profit than he would have realized if he had had the advantage of a good road for the quick, cheap, and convenient transportation of his products.

Nearly every Member of this House at one time or another has talked about the "high cost of living"; many have assumed to tell us of causes or reasons for high prices, and occasionally some one rises and takes our valuable time to tell of a cure he has discovered. Members representing districts in large cities usually tell us the trouble is that farmers receive too much money for their produce; that the farmers are making too much profit. I have not time nor am I disposed to answer such statements, except to say that they are made by men who know nothing of the investment of the average farmer and nothing of the labor and other expense of the average farmer in producing his crops and in putting them on the market. Two or three years ago the then Secretary of Agriculture, James Wilson, after careful investigation, said that the average prices received by the farmers of the country are not more than one-half the prices paid by consumers. No; the farmers are not responsible for the high cost of living; farmers are not receiving too large prices or making too large profits. But it is true that it costs farmers too much—too much time, too much trouble, and too much money—to market their crops; and this loss of time and money is due to the poor condition of the roads over which they travel.

If roads were in good condition, farm products could be carried to market more quickly and easily and the farmers might be willing to accept lower prices than they now receive and still have larger profit, or the result might be that the farmers, reaching the consumer with less trouble and expense and dispensing with some of the middle men, would receive a larger part of the price the consumer pays. Either result will justify the use of money as provided by this bill; either would be satisfactory to the farmers; and they certainly are right in asking consideration of their welfare at the hands of Congress. And if advantage and profit are to be realized by both farmers and consumers, certainly their combined interests can not be ignored.

I can not agree with these gentlemen from some of the large cities who object to the use of Federal money in the improvement of highways over which rural mail is carried. They evidently feel that, inasmuch as the Federal Government has established the rural routes and maintains the Rural Mail Service, the highways ought to be constructed and maintained by State or local authority without assistance from the Government. They seem to think that the Rural Mail Service was established for the sole benefit of farmers, patrons of the rural routes, and that from a sense of gratitude for favors shown and benefits conferred upon them the farmers as a class ought to be willing to tax themselves to meet all expense of providing good roads

upon and over which the mail business, carried on for their convenience and advantage, is done. These gentlemen point to the fact that the Rural Mail Service is not self-supporting; that in fact it costs above \$30,000,000 each year more than it yields in postal revenue; and they evidently think the service should be so reduced that its cost shall not be greater than its receipts. The theory upon which these gentlemen proceed is wrong. The Rural Mail Service is not for the convenience and advantage of patrons of the routes alone, it is for the benefit of the entire country, fully as much for the benefit of business men of the cities as for the patrons of the routes.

If one thinks the Rural Mail Service is for the sole use and advantage of the people of country districts, he should get information as to the amount and character of mail matter delivered by rural carriers. He will learn that publishers of daily newspapers reach farmers as easily as they reach city subscribers; that city merchants reach farmers with their advertisements as easily and almost as quickly as they reach the people of the cities, who were formerly their only customers; that farmers do not now find it necessary to depend upon weekly newspapers, but subscribe for and receive daily newspapers and also receive magazines and other publications as regularly and as generally as do the people of cities.

One who believes that the rural mails are for the benefit of only one class of our people—farmers and other patrons of rural routes—will change his mind as he learns the extent to which these rural patrons use the mails and avail themselves of the advantage which daily delivery of mail gives them of keeping in touch with what is going on in the world, and as he learns the manner and extent of use of the mails by people of the cities to keep in touch with the business of rural communities and with the farmers themselves.

In my opinion the business men and publishers of newspapers and magazines would make the first and most strenuous objection to the suggestion, if anyone were foolish enough to make it, that the system or policy of rural mail be abandoned or restricted. And that being true, as I am sure it is, why do residents of large cities, even Representatives of cities in Congress, tell us that patrons of rural routes ought to bear all the expense of Rural Mail Service or that the cost of the service should not be greater than its receipts?

The rural service is a part of the great mail service of the country, just as proper and just as necessary as the City Delivery Service. It would be unreasonable to say the character and extent of city service should be limited by its receipts or that the cost of post-office equipment, including cost of building, should be paid by the taxpayers of the city, and it is just as unreasonable to say that the expense of furnishing local equipment and facilities for the rural mail service, including construction and maintenance of highways, shall all be paid by the patrons of rural routes or by the taxpayers of local communities having advantage of the service.

Mr. Chairman, I should be willing to approve the purpose of measures like this even if I believed, as is contended by some Members, that it will confer greater and more direct advantage upon rural communities than upon the great centers of business and population. I shall not be deterred from supporting this bill because Members call it class legislation. Even if it were for the particular or more direct benefit of farmers, should it not be passed? It is true that farmers, as a class, have been benefited by Federal legislation, even by legislation intended for the direct advantage and profit of other classes, but in almost every instance the benefit to farmers has been indirect. Farmers as a class have been benefited by the development of great manufactures and by large industrial activities which have been encouraged and protected by Federal legislation, but the benefit to farmers has been indirect. It is urged that this bill, if it becomes law, will confer direct benefits upon farmers by furnishing Federal aid and by cooperating in the building of highways. Why not? It will give aid and encouragement to a class of our people who need relief from the burdens they have been bearing; it will be helpful to a class of our people who deserve consideration at the hands of the Government.

The bill before us is not entirely satisfactory. I believe it will result in the employment of too many men, agents of the Government, to inspect highways after they have been constructed, because the bill provides that before the money promised by the Federal Government as its share of the expense of constructing any road can be paid to the State, the work done on the road must be inspected, so that the Government may know the State has earned and is entitled to the money. This duty of inspecting roads involves inspection of every road upon which work is done by a State in cooperation with the Government, and a very large number of men must necessarily be employed for this purpose. Too much of the money appropri-

ated by Congress for assisting and cooperating with the States, money which is needed and ought to be used in actual construction and maintenance of roads, will be used up in salaries and expenses of men running about the country; too much money will be used by the Government in "administration." And, besides, I dislike the employment of so many Federal employees for work in the States. The amendment I offer will, I believe, remove these very objectionable features. The Lever law of which I have spoken provides money to be paid to or to be available to the States, to enable agricultural colleges, in cooperation with the Department of Agriculture, to carry on extension work, like farm-management and farm-demonstration work.

Section 2 of that law provides that the cooperative work to be done by the department and the colleges "shall be carried on in such manner as may be mutually agreed upon by the Secretary of Agriculture and the State agricultural college or colleges receiving the benefits of this act."

In section 3 is found the following provision:

That before the funds herein appropriated shall become available to any college for any fiscal year, plans for the work to be carried on under this act shall be submitted by the proper officials of each college and approved by the Secretary of Agriculture.

It will be seen that a similar provision appears in section 3 of this road bill. The highway department of the State is required to submit and furnish to the Secretary of Agriculture "surveys, plans, specifications, and estimates of cost of said proposed construction or maintenance and any other information which he may consider proper," and if the Secretary shall approve these surveys and estimates he shall determine the amount of money to be paid the State for the proposed construction or maintenance and shall notify the State highway department of his finding. This road bill further provides that the highway authorities of the State may thereupon "commence and prosecute said construction or maintenance in substantial compliance with said surveys, plans, and specifications."

Up to this point the provisions of the Lever law and the provisions of this bill are similar. The following provision of this bill, the one that I point out as objectionable, is that, although the Secretary of Agriculture may have approved surveys and plans of a road and estimates of its cost and has directed or permitted the State highway commissioner to proceed with the work with the understanding that Federal money will be forthcoming, the Secretary will not be permitted—if this bill becomes a law—to make any payment to the State until he, the Secretary, "shall find that said construction or maintenance of said road has been finished in substantial compliance with said surveys, plans, and specifications."

This means, as I have said, the employment of a very large number of men whose duty it shall be to make actual inspection of every highway in the country to which the Federal Government is contributing money. Federal employees will overrun the States, and as I also point out, a very large part of the appropriations which this law will authorize will be used in paying salaries and expenses of these inspectors and in other respects for "administration." It seems to me that much of this objectionable employment and this use of large sums of money can easily be avoided by inserting in this bill a provision practically the same as the provision in the Lever law, which, as I indicate, provides that the proper officer of the State which has received Federal money under that act—

shall be required to report to the Secretary of Agriculture on or before the 1st day of September of each year a detailed statement of the amount so received during the previous fiscal year and of its disbursement on forms prescribed by the Secretary of Agriculture—

And provides further—

that if any portion of the money received by the designated officer or by any State for the support and maintenance of cooperative agricultural extension work, as provided in this act, shall, by any action or contingency, be diminished or lost or be misapplied, it shall be replaced by said State to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to said State.

It is important to notice that the Lever Act contains a saving clause, or a clause that protects the authorities of the States against improper or unjust action on the part of the Secretary of Agriculture. This clause is found in section 6, and is as follows:

If the Secretary of Agriculture shall withhold a certificate from any State of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the expiration of the Congress next succeeding a session of the legislature of any State from which a certificate has been withheld, in order that the State may, if it should so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury.

I wish to suggest to the committee which prepared this bill and now has charge of it in the House that the changes I sug-

gest by incorporation of features of the Lever law be given careful consideration. If this law shall be so framed as to give due notice to State authorities that Federal money must be used exactly or, as the act says, "in substantial compliance" with plans, specifications, estimates, and so forth, submitted to the Secretary of Agriculture, and that failure or refusal on their part fully or "substantially" to comply with the provisions of the law under which they receive money will make it necessary for the Secretary to withhold further payment of money, I believe every State will be anxious and willing to make "substantial" compliance with this law and with the demands of the Secretary. They certainly will not wish to have a horde of Federal employees—clerks from the department—running over the State, possibly as many inspectors as there are roads on which work under this act has been done, and possibly as many conclusions reached and reports made on the work done by the State, one road approved and another road similarly constructed, rejected.

I wish the committee and the House to give careful consideration to the danger that too much money, too large a part of the appropriation intended for and actually needed by the States, will be devoted to "administration." The annual appropriation to be made, if this law is enacted, is much too small to permit of frittering it away in salaries and expenses of clerks and inspectors, many of whom can easily and properly be dispensed with if the bill is amended in keeping with my suggestion.

I am not able to agree with those, or sympathize with the reason or excuse offered by those, who oppose this measure on the ground of "economy" or falling revenues. They admit the importance of good roads and the duty of our Government to supply financial aid to the States to construct and maintain them, but they say the present unfortunate condition of the Federal Treasury will not permit the appropriation of money—even the small sum of \$25,000,000—for the purpose. One who uses this argument or offers this excuse practically says to the people of the country that, inasmuch as they, the people, have placed in control of our Government a political party which now, as always when intrusted with power, repeals laws by which revenue may be provided and deliberately enacts laws and pursues policies which fail, as such laws and such policies have always failed, to supply revenue, therefore the people are willing and ought to be willing to submit uncomplainingly, if not cheerfully, to the embarrassment, inconvenience, and loss which inevitably follow the failure of that political party to provide money for carrying on proper and necessary work or to enable it to do its duty to the country.

If it were impossible to obtain money authorized by this bill without embarrassing the administration in lines of work which must be carried on, I should not support this bill; I should wait a year or two until the old policy will be in force and laws placed on the statute books which will provide money; but I support the measure in the belief that even the unwise revenue laws enacted during this administration will supply money for this worthy purpose. This bill calls for only \$25,000,000. Almost every day this session the Congress—of its own accord or on demand of some executive department—will or is liable to enact into law some measure carrying an appropriation which might be and ought to be reduced by at least \$25,000,000.

The Congress is blamed for extravagant and altogether unnecessary appropriations, but the fault is not all with the Congress. The administration and the several executive departments are as much, if not more, to blame than the Congress for this extravagance. The committees of the House and Senate have prepared a table comparing, by bills, estimates of regular annual appropriations for the fiscal year 1916 (passed last year) with those for 1917 (to be considered at this session). This table shows that the executive departments have presented estimates which they demand shall be approved and enacted into law by this session of Congress carrying appropriations which are larger by \$195,082,673.78 than their estimates and demands of last year, larger by \$170,920,796.14 than all appropriations actually made by the Congress last year. This table, prepared by the House and Senate committees, shows also the total estimated revenues for the year ending June 30, 1917, and contains the following statement:

The estimated appropriations (demanded by the administration) for 1917 will be found in detail in the Annual Book of Estimates, House Document No. 27, transmitted to Congress December 6, 1915, and the estimated revenues for 1917 in the annual report of the Secretary of the Treasury for the fiscal year 1915.

The appropriations estimated for by the administration and demanded of this Congress are \$1,285,857,808.16, and the estimated revenue out of which these appropriations are to be paid are \$919,500,000; that is, the administration and heads of executive departments, acting together, are asking this Congress

to appropriate \$366,357,808.16 more than the Treasury will receive.

It is true the estimates of the administration include an increase of \$46,806,971.48 for a larger Army and an increase of \$72,255,354.36 for a larger Navy, and possibly the people of the country, or those who believe the administration's program of preparedness ought to be carried out just as he has presented it, will say that there is no evidence of extravagance; that the increases to be provided for Army and Navy account for the excessive demands appearing in the estimates; but the increases for the Army and Navy amount to only \$119,062,325.84, whereas the total increase in the estimates is \$195,082,673.78, or \$76,020,347.94 greater than or in addition to increases demanded for Army and Navy. And, besides, it should be known that the administration reports to Congress the advisability of decreasing some of the appropriations; for example, decrease of \$5,535,000 in the appropriation to be made for pensions, a decrease for which the administration is not responsible and for which it can claim no credit; that in spite of and over and above these decreases, for which no credit can be claimed, the total increase demanded is \$195,082,673.78 larger than was estimated for and demanded last year, and larger by \$170,920,796.14 than all appropriations made by Congress last year.

These facts and figures certainly fully support the charge that the administration and not Congress is most to be blamed for extravagance. But Congress can not escape responsibility. The executive departments make their demands, but Congress holds the purse strings. Congress has authority, if it has courage, to refuse extravagant demands of the administration, even if the estimates have been prepared and are urged with ability and vigor by members of the Cabinet and their able and persuasive assistants. So my conclusion is that \$25,000,000 for the very proper purpose of building roads can be found by reasonable pruning of extravagant estimates and by exercise of reasonable economy by Congress in consideration of measures which involve large expenditures outside of the estimates and demands of the administration.

I believe the incorporation of these provisions of the Lever law, with such modifications as are necessary to accommodate them to this bill, will greatly improve it. But if the changes I suggest are not made, if the bill is urged for passage just as it is, I shall support it. I support it because I believe it is a step in the right direction; it is the beginning of a very proper effort on the part of the Federal Government to assist the States to carry on a most important and necessary work, a work which is very burdensome to the States and in which they sorely need the help the Government is abundantly able to give. This bill, enacted into law, will be a proper although a very tardy admission by the Congress of its duty to the country in a very important matter. The bill in its present form is faulty and the amount of money provided is small, but amendments can be made later and the amount of money can from time to time be increased to meet the needs and demands of the country. This law—when this bill is passed and becomes law—will, in my judgment, never be repealed, unless perhaps a better law involving this principle be enacted in its place; the policy herein declared and begun will never be abandoned.

Mr. SAUNDERS. Mr. Chairman, I would not say anything on behalf of the committee in the way of criticism of this amendment, except that apparently it is intended to protect the Federal Government's interest, and I would not want any Member of this body to think that we would oppose any proper amendment that would safeguard some point overlooked by your committee. But I submit that this amendment is entirely superfluous and unnecessary. Why should the Secretary of Agriculture call upon the States to make reports showing what moneys they had received under this act, when that information was already primarily in the possession of the Department of Agriculture?

Mr. McLAUGHLIN. Oh, I beg the gentleman's pardon. This is to call on them for a report as to how the money has been expended.

Mr. SAUNDERS. I will answer that. No money can be paid out by the Department of Agriculture to a State, until that State has satisfied the Department of Agriculture, that it has completed a project, or partially completed a project, in conformity with the requirements of the department. Hence when the department makes a payment, that payment is not made with reference to future expenditures, but is a payment for work already done. As between the Department of Agriculture, and a State, the Department of Agriculture is always apprised by its own records of every dollar that has been expended in that State.

Mr. McLAUGHLIN. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS. Yes.

Mr. McLAUGHLIN. The Secretary of Agriculture is apprised as to the money that has been expended in the State, but this bill directs him by actual inspection of the work to know that the money has been properly expended.

Mr. SAUNDERS. Certainly, and that provision is intended to safeguard the Federal interest. The Department of Agriculture in the discharge of its duty can not, and ought not, to expend a dollar under this bill, until it is thoroughly satisfied that the work arranged for has been done in absolute conformity with the requirements of the department. Hence, as I have said, the payment is not one for future expenditures, but is compensation for work already done, and already approved by the Secretary of Agriculture.

Mr. McLAUGHLIN. If the gentleman will permit, my position is that it ought not to be necessary for the Secretary of Agriculture to send out a horde of inspectors to make actual inspection; that he ought to treat the highway authorities of a State as the Secretary of Agriculture treats the agricultural agents of a State in the matter of using the money under the Lever law. If he discovers later that the money has been improperly expended, he can withhold the next appropriation.

Mr. SAUNDERS. Why talk about withholding the funds, on the ground that money has been improperly expended, when the funds can not be primarily expended, unless a State has conformed to this law, and satisfied the Department of Agriculture that it has so conformed? Mr. Chairman, I submit that when our expenditures under this statute will be controlled by such definite requirements with respect to the conditions under which payments shall be made by the Department of Agriculture, there is no occasion to encumber this bill with the proposed amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The question was taken; and on a division (demanded by Mr. McLAUGHLIN) there were—ayes 22, noes 59.

So the amendment was rejected.

[By unanimous consent leave was granted to Mr. HELGESEN, Mr. DYER, and Mr. BROWNE of Wisconsin to extend their remarks in the Record.]

The CHAIRMAN. The question now is on the substitute offered by the gentleman from Iowa [Mr. HAUGEN].

The question was taken and the substitute was rejected.

The CHAIRMAN. The question now is on agreeing to the committee amendment.

Mr. WALSH. Mr. Chairman, I will ask unanimous consent to have the amendment again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk again reported the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SHACKLEFORD. Mr. Chairman, the amendment that has been adopted upon the suggestion of the gentleman from Iowa [Mr. TOWNER] has added to the bill the word "improvement" after the word "construction." I ask unanimous consent that, wherever the word "construction" appears in the bill, immediately following it shall be inserted the word "improvement," so that the phrase will read "construction, improvement, or maintenance," and that the word "improved" shall be written into the bill in all the sections immediately after the word "constructed."

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that wherever in the bill the word "construction" appears the Clerk shall write the word "improvement," and where the word "constructed" appears the word "improved" shall be written in. Is there objection to this request?

Mr. MANN. Well, Mr. Chairman, reserving the right to object, I have no objection to having it inserted where this amendment was, but I think a request of that kind ought to be carefully prepared in advance and furnished to the Clerk, and not impose upon the Clerk the business of correcting a bill by reading it through to see where a certain amendment should go in.

Mr. SHACKLEFORD. Just as the gentleman prefers.

Mr. MANN. I have no objection. The gentleman can make his request later on, and I think nobody will have any objection to it if he specifies where the word should go in, so the Clerk will have something to guide him in making the correction.

The CHAIRMAN. The request for unanimous consent is withdrawn for the present.

Mr. SHACKLEFORD. Mr. Chairman, I move to strike out of line 9, page 4, the word "substantial."

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

On page 4, line 9, strike out the word "substantial."

The question was taken, and the amendment was agreed to. The Clerk read as follows:

SEC. 4. That all construction and maintenance of roads under the provisions of this act shall be under the supervision and control of the State highway department of the several States: *Provided*, That until January 1, 1920, the amount which has been apportioned to be expended in any State which has no State highway department shall be available for expenditure in such State in such manner as shall be agreed upon by the Secretary of Agriculture and the governor of such State; that the Secretary of Agriculture may make, or cause to be made, such inspection and examinations of any road constructed or maintained under the provisions of this act as he shall deem necessary, and he may prescribe what reports shall be made to him by the State highway department of any State in relation to any road in such State to the construction or maintenance of which aid under the provisions of this act has been given or sought, when such reports shall be made, and the form and subject matter of the same; that the Secretary of Agriculture shall have power to employ such assistants, clerks, and other persons in the city of Washington and elsewhere, to purchase such materials and supplies, and to prescribe such rules and regulations for the administration of this act as he may consider expedient.

Mr. FOSTER. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I had prepared an amendment upon this section providing for the striking out of the words beginning in line 4, after the word "State," down to and including the word "necessary," in line 8. I have not offered this amendment, and I would like to ask the chairman of the committee if, in his judgment, after this bill shall have been in operation and roads shall have been constructed under its provisions, it is the intention that there shall be a large number of men employed to go out and visit all sections of the United States to determine whether these roads have been built in accordance with the specifications of the Secretary of Agriculture?

Mr. SHACKLEFORD. Mr. Chairman, in reply to the interrogation of the gentleman from Illinois, I will say that it is not. I have talked the matter over with the Secretary of Agriculture and consulted him in drawing that particular part of it. He expressed to me the desire that the bill should be in such form that it would not call for any expensive increases of bureaucracy in his department, and we have concurred with him. We have put the construction and maintenance under the control of the State highway departments, and the whole thing is to be done by the State departments, subject to the Secretary of Agriculture being satisfied that the work has been done in compliance with the plans and specifications. In order to avoid the necessity of going into the State to do what the gentleman thinks we permit, it is provided that the Secretary of Agriculture has power to call upon the State highway departments for full reports as to what has been done in every particular road and to supply any other information which the Secretary of Agriculture may ask to have supplied, and nothing can be paid until he has done that.

In another part of the bill which the gentleman has not called attention to all of that is amply provided for and provided for the specific purpose of reducing the number of Federal employees. Twenty-two members of the committee, every one of them, worked diligently to bring about the very result the gentleman wishes and desires, and I believe that no bill could be framed that will call for a smaller number of Federal employees than the bill which we now present to the House, and I think the committee prides itself that we have so successfully accomplished that result. If the Secretary of Agriculture wants to know what has been done as to a particular road he asks the State highway department to furnish that information, and if he is not well satisfied he can ask for more information. It does not call for an inspector to go there and get it; but, of course, if some State highway department shows a disposition to overreach the Government as to this appropriation, undoubtedly the Secretary of Agriculture would, and he should, send enough inspectors to investigate the methods of that particular highway department to see whether or not it was acting in good faith toward the Government.

Mr. FOSTER. Mr. Chairman, I thank the gentleman for his explanation, and yet I realize that in the administration of laws many times there comes a request from a department that they must have so much money for the purpose of employing men and sending them out over the country, and I am frank to say to the gentleman that, so far as the State of Illinois is concerned—and I believe it is the same in other States of this country—it seems to me that the sworn statement of the local highway department, transmitted to the State highway commission and from there certified by the governor to the Secretary of Agriculture, should be sufficient. Now, I notice down in lines 15 and 16 it says that he shall have power to

employ "such assistants, clerks, and others persons in the city of Washington and elsewhere."

I think that that might be cured by providing "as Congress may provide," so that no Secretary of Agriculture now or in the future may have an opportunity, or should have the chance, I will say, of selecting a large number of employees and sending them out over the country to examine every little piece of road that may be built under this bill.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. FOSTER. I do.

Mr. COOPER of Wisconsin. Under the provisions of lines 14, 15, 16, 17, and 18, page 5, it is proposed to turn over several million dollars of public funds to be expended in the discretion of the Secretary of Agriculture for the employment of clerks and the purchase of material. In other words, he can hire as many clerks in the city of Washington and outside of the city of Washington as he pleases.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSTER. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to speak for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSTER. I offer this amendment, Mr. Chairman.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 17, after the word "supplies" insert the words "as Congress may provide."

Mr. FOSTER. I offer this, Mr. Chairman, as a limitation upon the Secretary of Agriculture in the employment of men.

Mr. SHACKLEFORD. If the gentleman will yield to me for a second, the committee makes no objection to that.

Mr. FOSTER. All right; I am willing.

Mr. MANN. What is that?

Mr. FOSTER. In line 17, after the word "supplies" add "as Congress may provide."

Mr. MANN. But what was the remark of the gentleman?

Mr. FOSTER. That there would be no objection.

Mr. MANN. I should think there would be a decided objection.

Mr. FOSTER. What I am trying to get at is, if I am unfortunate in not getting the right language—

Mr. COOPER of Wisconsin. Shall be provided for by "law" instead of provided for by "Congress."

Mr. FOSTER. I will modify the amendment and make it "by law."

Mr. MANN. Mr. Chairman, I do not expect to vote for this bill and have no desire to take any extra amount of time in perfecting it, but there would be no authority of law for Congress to provide anything of the kind, and, if they did, of course it would not be under this appropriation of \$25,000,000. It might have been better, I think, to have provided that Congress should make specific appropriation for the officials employed by the Government and pay for it out of the Treasury, and, possibly, outside of the \$25,000,000. But that has not been the scheme of the bill. The scheme of the bill is to have all officials paid for out of the \$25,000,000 which is appropriated each year.

Mr. FOSTER. I will say to my colleague that what I am trying to get here, and I believe the amendment would supply it, is to make the limitation upon the Secretary of Agriculture, whoever he may be.

Mr. MANN. But there would be no authority for inserting any items in the agricultural or other appropriation bill for these assistants. They would all go out on a point of order.

Mr. FOSTER. That should be made in the appropriation for this money for the good roads. Here is the authority.

Mr. MANN. Very well, the law would authorize the appropriation of \$25,000,000 for the good roads. Now, if I am not taking too much of the time—

Mr. FOSTER. Oh, no.

Mr. MANN (continuing). As a matter of practice and under the law, when they make an estimate for this money, and they would be required every year to make an estimate, the department, under the law, would be required to put into the estimate the amount of money they expected to spend for clerk hire and other assistants in the way of officials, and also report how much had been expended in the previous fiscal year, and the Committee on Appropriations would have that before them. It is very likely that the Committee on Appropriations would bring in, as it would have a right to do, a limitation in the appropriation as to how much of this could be used for these services. That limitation would be in order, because it would be a limitation on the appropriation bill and the committee would have the figures before it from the department, both as to how much had been expended the previous year and how much the department was considering expending for the next fiscal

year. But under the gentleman's amendment there would be no authority to insert an appropriation in the bill for these clerical assistants or other assistants, and the "gentleman from Illinois, Mr. MANN," or some other gentleman who watches appropriation bills, would make a point of order on it and it would go out, and we would have \$25,000,000 a year to spend and no way of expending it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I ask that the gentleman have more time.

The CHAIRMAN. Does the gentleman from Illinois [Mr. FOSTER] wish to proceed for three minutes additional?

Mr. FOSTER. Yes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSTER. Mr. Chairman, I ask that they change the word by inserting "as may be provided by law."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Insert in line 17 after the word "supplies" the words "as may be provided by law."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MANN. Mr. Chairman, now there is no provision of law, except this bill, on the subject.

Mr. FOSTER. I will say to the gentleman when Congress passes an appropriation bill that furnishes the law.

Mr. MANN. Surely. When the Congress has passed the appropriation bill that furnishes the law, but during the operation of passing an appropriation bill we can not insert an item over a point of order in the House unless it is already authorized by law previous to the passage of the appropriation bill. I think that the gentleman's amendment would simply mean that where you say that these things can be done they will not be done unless you say they can be done. But what we are doing in the bill is saying that they can be done.

Mr. FOSTER. I think it puts a limitation on the Secretary of Agriculture to do that.

Mr. MANN. Well, the gentlemen agree on what ought to be done, but do not agree upon the effect.

Mr. FOSTER. I think we are willing to risk that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FOSTER].

The question was taken, and the Chair announced that the yeas seemed to have it.

Mr. FOSTER. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 31, yeas 5.

So the amendment was agreed to.

Mr. SIMS. Mr. Chairman, I wish to extend my remarks in order to discuss more fully this bill, and I do not wish to take time for it now.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. SLOAN. Mr. Chairman, I have an amendment which I desire to offer.

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 4, line 24, after the word "State," strike out the remainder of line 24 and all of line 25, on page 4; also strike out all of lines 1, 2, and 3, on page 5, and all of line 4 up to the word "that" on said page.

Mr. SLOAN. Mr. Chairman, the effect of the proposed amendment would be to remove the apparent requirement that is being made on the different States to establish highway departments or commissions. The theory of this bill is that the United States Government shall treat with the States, first, through a highway department, if there be one. If there be no highway department established, then through the governor of the State. The effect of this bill, and especially that portion of it which I seek to have stricken out, would be to require a State, entitled to its apportionment of these funds from year to year, to go into the commission form of government by establishing departments, which some States in this Union do not particularly favor. It simply amounts to a means of coercion by the Federal Government; it says in effect that these States shall have a commission on highways or a highway department, which is not usually a representative department.

The governor is an officer elected by the people in every State, I presume, and directly responsible to the people, and he is the proper officer to deal with, unless the State itself sees fit to establish a highway commission. We guarantee through the Constitution a republican form of government to the States.

We will not abide a State departing from it. But here is a method and means for giving, at least in part, a government not elective, not responsible to the people, but a commission appointive, and only indirectly responsible to the people. I think it is an unwarranted power, or an unwarranted use of power, at least, to limit the time within which the Secretary of Agriculture should treat with the governor of a State. If we leave it this way, after the lapse of four years the State which has no highway department would not be entitled to receive the benefits of this bill or of the moneys that would be given to the State under this bill from the Federal Government. I say, therefore, the effect of this amendment would be simply to leave it as it is now, for the department to deal with the highway department or governor of the State, whichever the sovereign will of the State should elect.

Mr. BROWNE of Wisconsin. Mr. Chairman, in reply to the argument of the gentleman from Nebraska [Mr. SLOAN], I will say that at the present time all the States of the Union have highway departments except eight. A few years ago only a very few of the States had highway departments, but it has been demonstrated beyond any question that the State that is interested in highway improvement and is making any progress in highway improvement establishes as one of the first steps to road improvement a State highway department. The highway department then engages a competent highway engineer.

A great many gentlemen have criticized this bill because it did not provide that a State shall be required to have a highway commission in the first instance before any aid was given. But this bill provides that by the year 1920 each State receiving aid shall have a highway department. I think this requirement is a very essential thing for obtaining good roads in a State, and it is very essential that the State should have a highway department in order to insure the proper use of its own road fund as well as the funds given to it by the Federal Government.

Mr. SLOAN. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from Nebraska?

Mr. BROWNE of Wisconsin. Yes.

Mr. SLOAN. Is it not the purpose of this provision to force every State in the Union to have a highway commission?

Mr. BROWNE of Wisconsin. Yes.

Mr. SLOAN. Does the gentleman think the Government of the United States should force a phase of government upon any State which is not republican and representative in character?

Mr. BROWNE of Wisconsin. I will say to the gentleman that this is following the precedent of the Department of Agriculture in making the localities receiving aid comply with certain requirements, such as paying part of the salaries of agricultural agents. There is a provision in the agricultural bill that we passed at the last session of Congress which requires the States to do certain things before they can get any of that fund. It is necessary in order to get a State out of the old rut that it has been in for years, in order to insure the proper application and investment of funds appropriated by the Federal Government, to establish certain Government machinery for that purpose, and in this case, in order that the roads should be built in an intelligent manner, it is necessary to require them to have a highway department.

Mr. SLOAN. Mr. Chairman, will the gentleman yield further?

The CHAIRMAN. Does the gentleman again yield?

Mr. BROWNE of Wisconsin. Yes.

Mr. SLOAN. In the law that the gentleman cites is it required that any State shall have any particular department of government that it has not already got?

Mr. BROWNE of Wisconsin. It makes the distribution of the funds appropriated by the Federal Government contingent upon the State doing certain things, and it provides that the State agricultural colleges shall do certain things before they can get the money apportioned to them.

Mr. SLOAN. Certainly.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Nebraska [Mr. SLOAN].

The question was taken, and the amendment was rejected.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Ohio [Mr. LONGWORTH] moves to strike out the last word.

Mr. LONGWORTH. Mr. Chairman, I have listened with particular attention to the arguments of gentlemen favoring this bill, because circumstances over which I had no control debarred me from the benefit of the debate on a similar bill

that passed this House last year. I find with much regret that I am unable to support this bill as it stands and at this time.

I recognize that there are no politics in this measure. I recognize, too, that there is no geography or sectionalism in it. Certainly there ought not to be. Merely because a Member lives in a district which will derive no direct benefit from the bill is no excuse whatever for his voting against it, if, in his judgment, it will be for the benefit of the country at large. Personally, I am as much in favor of good roads in the country as any gentleman who favors this bill. I am as much in favor of legislation which may be for the benefit of farmers as any man in this House, I think. Certainly I am willing to go further than many, because I am willing to give the farmer not only good roads but adequate protection on everything that he raises on his farm. Upon due consideration I do not believe that this bill will at all provide the benefits its proponents seem to believe. But, at any rate, this is not a time, in my judgment, gentlemen, to pass this legislation. The condition of the Treasury is such that I do not think we can go ahead with reckless expenditures, even for worthy purposes. I call the attention of this House to the Treasury situation as it stands to-day. I hold in my hand the Treasury report of January 22, which is the last issued, and in it I find that there is, according to the new method of accounting, \$102,000,000 cash balance in the Treasury.

Now, let us see how much of that we can draw on to pay the expenses of the \$25,000,000 appropriation which will come if this bill passes. I find that in that \$102,000,000 is included \$53,000,000 of funds in the hands of disbursing officers. You can not draw on that. I find that there is subsidiary silver coin amounting to \$21,000,000. You can not draw on that. I find that there is minor coin amounting to nearly two millions. You can not draw on that. I find that there is silver bullion to the value of about \$6,000,000. You can not draw on that. I find that there are deposits in the Philippine treasury of over \$6,000,000. You can not draw on that. And when you add up these various items you arrive at the situation that there is to-day in the United States Treasury less than \$13,000,000 available cash balance, even figured in the most liberal possible way.

Permit me also to call your attention to the statement of the chairman of the Committee on Appropriations the other day. He made this remark, and it is significant, gentlemen. I asked the gentleman from New York what the balance in the Treasury would be if all debts now due were paid, and the gentleman from New York replied:

The country would be bankrupt if we paid all the obligations from public funds.

The situation is simply this, that if you are to pay out \$25,000,000 a year, you must provide a new form of taxation to do it, and any man who votes in favor of this bill must be willing to advocate some new form of taxation, probably a stamp tax, which was well described by the gentleman from Illinois [Mr. MANN] as being the most odious form of taxation.

I am fearful also, Mr. Chairman, that if you pass this bill it may be used by opponents of preparedness to prevent adequate expenditures for that purpose by this Congress.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONGWORTH. May I have two minutes more, Mr. Chairman?

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for two minutes.

Mr. SHACKLEFORD. I do not like to object, but I should like to see if we can have some agreement as to limiting debate on this section?

Mr. LONGWORTH. I merely want to complete my statement.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LONGWORTH. As I say, Mr. Chairman, I am fearful that this may be used by gentlemen who are opposed to any increase in the Army and Navy this year by making it appear that we shall be compelled to resort to additional forms of taxation to raise even this money. Personally I am in favor of that degree of preparedness described in the patriotic and eloquent speech of the gentleman from Illinois [Mr. MANN] this morning, a preparedness not only to resist invasion of our shores, but adequate also to protect every American citizen in his life and property wherever he may be. [Applause.] I am not willing at this time to risk the failure of adequate appropriations for preparedness because of this expenditure, therefore I am constrained to vote against this bill at the present time and in its present shape.

Mr. SHACKLEFORD. With great reluctance?

Mr. LONGWORTH. With great reluctance.

Mr. SHACKLEFORD. Mr. Chairman, I ask unanimous consent that debate on this section close in five minutes.

Mr. SLOAN. I have a couple of amendments that I desire to present.

Mr. SHACKLEFORD. Then I will ask that debate on this section and amendments thereto close in 15 minutes—one half of the time to be controlled by the gentleman from Nebraska [Mr. SLOAN] and the other half by myself.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that debate on this section and amendments thereto close in 15 minutes—one half of the time to be controlled by the gentleman from Nebraska [Mr. SLOAN] and the other half by himself. Is there objection?

There was no objection.

Mr. SHACKLEFORD. I yield to the gentleman from South Carolina [Mr. RAGSDALE].

Mr. RAGSDALE. Mr. Chairman, when I find the proponents of preparedness here opposing everything that goes to the protection of the people in the rural communities I am very much interested. I am interested in everything that they say and print in the RECORD. I am also interested in some of the things that they do not say. When the distinguished gentleman from Ohio [Mr. LONGWORTH] made his remarks as to his interest in the protection of that which the farmer raises, I am sure it was merely a slip of his mind that he forgot to state that he was also in favor of the same degree of protection for that which the farmer buys; and that, as a matter of fact, he knows that very little of the protection that he would put upon the country would be real protection to the farmer, and that the system of protection which he proposes would add enormously to the burden of the farmer's cost of living.

Since I have been a Member of this House I do not think I have ever cast a ballot against a reasonable degree of expenditures or any expenditures for the Army and Navy, and, in common with others here, I feel that the time has now come in the history of this country when a reasonable preparedness ought to be brought about in order that this country may maintain the position which it is entitled to occupy in international affairs. I do not care how it is necessary to raise the money, if we get the results for the people to which they are entitled. My own belief is that, if it is necessary, we ought to sell the bonds that are now in the Treasury and issue a new set of bonds in order to protect the people at home and in order to protect this country against other nations.

But, Mr. Chairman, whenever we take up a discussion in favor of good roads, some gentlemen say there is "pork" in it. If we discuss anything that increases transportation facilities, either by way of good roads or by river and harbor bills, some gentlemen say there is "pork" in it. If an effort is made here on the part of this Government to give governmental aid to rural credit, some gentlemen call it paternalism, but if it is for an appropriation that goes anywhere except in rural communities, then the man who proposes it is a wise and patriotic statesman, and it is a good form of government which carries it out.

I want to say to the gentleman from Massachusetts and others along the eastern coast who have been opposing this legislation, that the people of the South realize that practically every one of the munition factories is located between Norfolk and Maine. We realize that the population and wealth of this country are to be found there. We realize that below Norfolk there will be no attack on this country in all probability by any foreign power. We learn also from the experts of the Army and Navy that we do not need anything to protect the portion of the country south of Virginia. But coming here from the South, with our loyalty to this Government unquestioned, the people of the South want to stand behind this Government and occupy a place in it, and we ask but a small share of the appropriations. We are coming here asking in this bill that we be given some small measure of that to which we are entitled; and every gentleman here knows that for the past half century the South has been taxed far beyond what she has received from this Government. Under these conditions, Mr. Chairman, I hope that this House will enact some kind of a good roads bill at this session. I am ready to vote for it. I do not say this is the best bill that could be passed, but I say almost any bill that gives us better roads, almost any bill that gives us a better rural credit system, almost any bill that lightens the burdens carried because of bad roads and high rates of interest paid by the farmers will better the conditions under which the farmers of this country are now forced to live. [Applause.]

Mr. SLOAN. Mr. Chairman, I have an amendment that I desire to offer.

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 5, line 18, after the word "expedient," insert "Provided, That on payment to any State of any sum for the purposes herein set forth the same shall be made upon condition that should the State fail, neglect, or refuse to maintain in good order and condition the roads established through such national aid, said State should forfeit to the United States a sum equal to 3 per cent per annum upon the amount of money contributed by the United States for the same."

Mr. SLOAN. Mr. Chairman, this amendment is submitted, believing that this Government work is not done and responsibility to itself is not complete when it gives to a State enough money to complete the highways indicated, whether that of a post road, interstate highway, or a military road. Under this bill the State immediately after the completion of a road can relocate the road, dislocate it or terminate its existence, and there is no recourse whatever provided for the Government. So I submit that it is our duty to the country which we profess to represent to see that this money shall be paid to the State highway department only upon condition that if the State fails, neglects, or refuses to maintain the road for the purposes for which it was constructed, then for every year it shall so fail, neglect, or refuse it shall forfeit from the funds that may at any time be due from the Government to the State 3 per cent of the amount the Government had contributed to the construction of the road so allowed to go into disuse.

I know that in the discussion of some of these matters amendments are not very well received from this side of the House, and yet I am gratified to say that a number of criticisms that I have presented, although meeting with a storm of opposition at first, have entered into the bill, and so I offer this in absolute good faith, believing that the Government should not appropriate these sums to the State without having some recourse on the State to compel its carrying out the purpose for which the investment was made. We have the power because we have the money; we can withhold the money until the State agrees to maintain the road which was so constructed. If it fails, we can readily collect by withholding it. The zeal with which the State's interests in this bill are being looked after and the apparent overlooking of the Federal rights makes Congressmen appear more like legislators for the State, seizing the funds of the Government and distributing it as treasure trove, brigand loot. The Government is to give money in princely sums to build roads over which the United States mail may be carried, interstate commerce pass, or Government troops may pass. But with the expenditure of the money and the completion of the work the Government can not force the continuance or maintenance of the road one day for any of these purposes. The money is gone; there is no recourse. The State is playing the part of the Lothario who enjoys unrestrained companionship without the fetters of matrimony and under no accountability for the usual responsibilities arising thereunder.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska.

The question was taken, and the amendment was rejected.

Mr. SLOAN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 5, add to section 4 the following: "Provided, That should any dispute arise between the highway authorities of any State and the Secretary of Agriculture relative to the findings, acts, or doings of the Secretary of Agriculture under this act an appeal may be had to the President of the United States upon the record made by the parties to said dispute or upon additional evidence and hearing which the President may, in his discretion, demand."

Mr. SLOAN. Mr. Chairman, I simply want to submit this for the purpose of taking from the Secretary of Agriculture the final word on the last proposition that may be involved between the Secretary of Agriculture and the representatives of the State.

Mr. BORLAND. Will the gentleman yield?

Mr. SLOAN. I will.

Mr. BORLAND. Would not the gentleman refer it to The Hague tribunal for arbitration?

Mr. SLOAN. No; I would not refer it to The Hague tribunal, I would refer it to the gentleman from Kansas City.

Mr. MANN. That would be the same thing; both will be dead tribunals in the next Congress. [Laughter.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska.

The question was taken, and the amendment was rejected.

The Clerk, proceeding with the reading of the bill, read section 5, as follows:

SEC. 5. That the necessary culverts and bridges shall be considered as parts of the roads constructed or maintained under the provisions of this act; that the roads which may be constructed or maintained under the provisions of this act shall include earth, sand-clay, sand-gravel, and

other common types of roads, as well as roads of higher classes, one of the purposes of this act being to encourage and promote the improvement of a general system of roads leading from cities, towns, and railway stations into the adjacent farming communities.

Mr. WALSH. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend by striking out at the beginning of section 5 the following language:

"That the necessary culverts and bridges shall be considered as parts of the roads constructed or maintained under the provisions of this act."

Mr. WALSH. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD, and yield back the balance of my time.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. WALSH. Mr. Chairman, I have listened with patience and care to the discussion on the merits of this measure, which has been under debate in this House, sitting in Committee of the Whole House on the state of the Union, during the past five days.

I should not again project myself into the debate, nor again seek to justify my action in presenting minority views on this measure, were it not for the fact that the proponents of the bill seem to have assumed that I am opposed to good roads, and that the sentiment of Massachusetts is contrary to the position taken by those who contend that well-built and carefully maintained roads are of decided benefit to any community—local, State, or National.

They do not really believe that, Mr. Chairman, for they know full well, or if they do not know they ought to know, or if they care to know they can easily ascertain, that the glorious old Commonwealth of Massachusetts has, since 1892, been engaged in highway construction along State-aid lines,

and has built many miles of the best and most modern highways in the entire country, and has maintained them, and beyond this has educated the people in the numerous rural and suburban sections up to a high standard of highway construction and maintenance which has led to wise and economical expenditure of county and town appropriations.

These attacks on Massachusetts, these sneers and jibes at the Members from the Bay State, how weak and ineffectual they are, Mr. Chairman, and somewhat unseemly, too. Massachusetts has become accustomed to that, and we fully appreciate that success, prosperity, and contentment in the State as well as in the individual are wont to provoke envy and jealousy in the minds of those representing less enlightened and less advanced sections of the Union.

We have listened to the enunciation of the doctrine here on the floor of the House, apparently advanced with seriousness, that because the citizens of one section of the country have built up successful and prospering mercantile and manufacturing establishments in one part of the Nation, therefore they must be assessed more than their just and proportionate share of the expense of Federal activity in other parts of the Nation.

To pay this bill direct taxation must necessarily be resorted to in the present condition of the Federal Treasury, and direct taxation of the most obnoxious character must be imposed on the long-suffering public; that is, by stamp taxes.

Of the fifty-two millions raised by the emergency revenue tax during the fiscal year ending June 30, 1914, the State of Massachusetts contributed over two millions, and the States of Connecticut, Illinois, Indiana, Massachusetts, New Jersey, New York, Ohio, and Pennsylvania paid thirty-one millions, and a like proportion of the sum appropriated by this bill will be contributed by these same States.

The following table sets forth in more detail the information as to "who pays the freight":

Statement of emergency revenue receipts (act of Oct. 22, 1914) in the following-named States during the fiscal year ended June 30, 1915.

State.	Wines, champagne, liqueurs, cordials, etc.	Grape brandy used in fortifying sweet wines.	Fermented liquors (additional 50 cents a barrel).	Special taxes relating to manufacture and sale of tobacco, cigars, and cigarettes.	Special taxes, including bankers, brokers, theaters, bowling alleys, etc.	Schedule A (documentary stamps, etc.).	Schedule B (perfumery, cosmetics, etc.).	Aggregate.
Connecticut.....	\$28,537.69	.....	\$242,866.05	\$35,380.14	\$66,880.23	\$264,743.75	\$45,427.52	\$683,835.33
Illinois.....	188,752.07	.....	1,941,663.95	163,347.92	367,064.66	2,292,855.98	573,121.87	5,526,806.45
Indiana.....	25,545.07	.....	475,065.09	83,949.94	152,116.87	374,006.19	29,409.38	1,140,092.51
Massachusetts.....	116,457.39	.....	764,029.30	69,220.78	208,124.34	915,431.69	128,903.90	2,202,167.31
New Jersey.....	64,022.03	.....	1,008,139.21	85,933.15	131,208.95	351,829.10	200,880.43	1,842,012.87
New York.....	478,860.00	\$1,204.01	4,129,382.05	329,340.75	859,775.64	5,131,040.10	900,688.03	11,830,290.58
Ohio.....	100,703.11	.....	1,455,937.17	167,479.63	276,640.74	849,996.38	160,238.28	3,010,993.31
Pennsylvania.....	152,627.89	.....	2,302,505.27	298,851.11	537,521.84	1,523,038.68	119,510.83	4,904,055.62
Total collected (8 States).....	1,155,505.25	1,204.01	12,319,588.09	1,203,503.47	2,599,333.27	11,702,941.76	2,158,178.24	31,140,254.03
Total collected in the United States.....	2,307,301.97	133,383.56	18,713,679.88	2,486,616.36	4,967,179.18	20,494,474.75	2,961,490.59	52,069,126.23

Let me also direct your attention to the attitude, with reference to this bill, assumed by one of the country's greatest newspapers, the New York Sun, as set forth in the editorial columns of its issue of the 25th instant:

A PROPOSED MONSTROUS PERVERSION OF LEGISLATIVE POWER.

The Shackleford so-called good-roads bill now before the House of the Congress is so preposterous in its purpose, so childish in its provisions to carry out its purpose, it has not seemed deserving of other than the casual and light treatment it has received, so far as we have observed, from the press of those States upon which the bill seeks to levy a tax of \$25,000,000 annually for the benefit of States unwilling to improve their own roads at their own expense. It seemed fair to assume that so frank an attempt to hold up the National Treasury, to strip it of a sum in excess of one-half of the funds now available to meet the current expenses of Government, would be laughed out of the House. There are indications that such an assumption rested on faith—unjustified.

The bill is drawn with cunning use of words designed to conceal its ugliness. There is soothing patter of "reasonable cost," of Federal supervision, of encouragement of roads "leading from cities, towns, and railway stations into the adjacent farming communities" to aid in the conduct of the Postal Service.

Here, baldly, is what the bill authorizes: An appropriation annually of \$25,000,000 for the construction and maintenance of rural roads. Out of this sum \$65,000 is to be allotted to each State. Out of the remainder the Secretary of Agriculture is to allot his department such a sum as he "shall deem necessary to defray the expenses of his department in the administration of this act," and the remainder after such deduction shall be distributed to the States, "one half in the ratio which the population of each State bears to the population of all the States" and the other half of such remainder in the ratio which the mileage of Rural Free Delivery and star mail routes in each State bears "to the same mileage in all the States."

This language is, of course, designed to create the impression that here is something which would improve rural free delivery, which, by the way, cost the Government \$49,000,000 last year. But a little further examination shows what is the real purpose of the bill. In its

first section it is provided "that for the purpose of this act the term 'rural post roads' shall be held to mean any public road over which rural mail is or might be carried."

In other words, all rural roads are to be built and maintained largely at Federal expense. And away down in the last section of the bill is found this precious supplement to the "or might be" provision: "That the necessary culverts and bridges shall be considered as parts of the roads constructed or maintained under provisions of this act."

There you are. No longer need the supervisors of Wayback County face the horrid thought of taxing Waybackers for a bridge over Purling Creek. Uncle Sam will build it.

During the debate in the House on this bill Mr. MADDEN, of Illinois, and other gentlemen unafraid were eager to learn something about the whyness of that initial gift of \$65,000 to each State. Their curiosity remained unsatisfied. The contemplated roads are to be of "earth, sand clay, sand gravel, or other type," and the Secretary of Agriculture is to determine what part of the cost Uncle Sam shall pay, but it must not be less than 30 nor more than 50 per cent.

How beautifully the proposed allotment of the first year's appropriation works out these few comparisons reveal: In 1913 Alabama spent for State highways \$127,000, and under the allotment would receive \$579,000; Georgia spent nothing and would receive \$722,000; while California, which spent \$2,000,000, would get less, \$504,000. Florida spent nothing and would get \$202,000, but Connecticut, which spent \$3,483,000, would get \$258,000, to encourage her in well-doing.

Representative SHACKLEFORD is from Missouri. That State, according to a table prepared by the Department of Agriculture, has expended for State highways \$1,421,983. Connecticut has spent \$14,934,176; Massachusetts, \$16,365,425; New Jersey, \$7,192,268; Pennsylvania, \$24,259,954; New York, \$82,638,729. These States, with a few others which have spent their own money liberally for good roads, will be taxed for the greater part, much the greater, of this annual gift of \$25,000,000 to States which tax themselves little or nothing for roads.

We hope for its own reputation that the House will not pass this bill. If it does, we believe it will die in the Senate. Should it not, we are confined to the hope that an attempt to exercise so monstrous a perversion of legislative power will not receive the approval of President Wilson.

Let me, in conclusion, recall the words of the distinguished Member from Kentucky [Mr. SHERLEY] when, in referring to the failure of his own State to pay its share of the expenses incurred in eradicating the foot-and-mouth disease among cattle, the United States having contributed its portion of the cost, he spoke the other day as follows:

Now, what does that mean? It means that all the time the States are talking about rights and are ignoring duties, they are trying to unload upon Uncle Sam the burden of taking care of things which primarily belong to them [the States] to take care of.

How apt this utterance, and how well it fits the present attempt to shift onto the National Government a duty which many States have made no attempt, even, to fulfill.

I again direct your attention to the statements set forth in the report filed by me, and submit that none of these arguments have been successfully controverted:

[H. Rept. 26, pt. 2, 64th Cong., 1st sess.]

#### RURAL POST ROADS.

Mr. WALSH, from the Committee on Roads, submitted the following minority views (to accompany H. R. 7617):

I am unable to concur with my colleagues on the committee reporting this bill, and respectfully submit herein my views on the proposed legislation appertaining to this important problem.

I do not believe that the Federal Government should invest itself with the responsibilities and liabilities coincident with the business of road construction and maintenance.

I am opposed to appropriating the sum named for any such purpose, especially at this time, when there are other matters of more pressing importance, and requiring the appropriation of large sums of money, pending.

The condition of the Federal Treasury at present is not such as to warrant appropriating any such amount for a purpose entirely new, under a scheme entirely novel in its details and scope. In view of such condition and because it has been necessary to resort to emergency taxation, which has been continued until December 31, 1916, I am of opinion that this proposed legislation can well be deferred until some future time, when our finances are in condition to warrant such an outlay.

Many States have already expended millions of dollars in the construction of roads suitable for all classes of highway traffic, and they should not now be called upon to contribute toward the construction of highways in foreign jurisdictions which have neglected this vital duty.

It should be noted also that the States which now have the more improved systems of highways will contribute the larger share to the project sought to be enacted into law by this measure.

The States of Connecticut, Massachusetts, New York, New Jersey, Ohio, and Pennsylvania will pay into the Federal Treasury the larger proportion of the sum appropriated in this measure, and will receive in some cases less than one-quarter the amount paid in, while other States will receive relatively twice as much as they contribute to the Federal Treasury.

I can not agree with the definition of "rural post road," as set out in section 1.

I am opposed to the method of apportionment as proposed in section 2, and desire to direct attention to the fact that no allowance is made for that part of the population of the several States which live in the cities and thickly settled centers and which are not served by rural free delivery.

The discrepancies in the apportionment are in many instances glaring, for example:

Colorado, with a population of but 799,024, is allotted \$252,168; Oregon, with 672,765 inhabitants, is allotted \$248,792; North and South Dakota, each with a few thousands less than 600,000 inhabitants, are allotted \$325,372 and \$337,406, respectively; while Connecticut, with a population of 1,114,756, is entitled to but \$258,638.

Turning to the mileage of rural free delivery and star routes, a similar discrepancy attains:

Louisiana, having 0.75 per cent of total mileage of these routes, is allotted \$345,064; yet West Virginia, with 1.19 per cent of total mileage, receives but \$340,688, and Montana, having 0.76 per cent of total route mileage, is apportioned but \$192,998.

The views of my colleagues on the committee set forth that primarily it is the duty of the State to provide roads for the people, and it is respectfully contended that failure on the part of the State to perform its duty does not transfer that duty to the Federal Government.

It is also contended by the committee that the General Government has constitutional power to construct and maintain "post roads."

Assuming, but not admitting, this to be true, it is usually the practice, when the General Government erects, builds, or takes over any utility of commerce, manufacture, or agriculture that it likewise retains jurisdiction over it, while this bill expressly precludes the proper exercise of Government jurisdiction over a Government utility.

It will be claimed that because the Federal Government may justly contribute toward the construction and improvement of that which it utilizes, i. e., highways, in exercising its important function of mail transportation and delivery, that it ought to pay a part of the cost of the construction of such highways.

If this be the object sought, then certainly the share of the expense which the United States Government is required to pay should be in proportion to the use made by it of the highways, taking into consideration all the uses to which said highways are put.

To enact this legislation on the shallow pretext set forth would be to commit the Federal Government to a policy which would lead to enormous expenditures in the future, with but little benefit to the people as a whole, and it will lead to demands in the future from States which in the past have shamefully disregarded the duty owed the people within their borders that the United States bear the whole expense of road construction and maintenance.

It will discourage rather than encourage road construction under State auspices and will open wide the door for quibbling, criticism, and experimentation, all at the expense, in large measure, of States which have expended their own money for their own internal improvements.

This legislation in its present form, and in the absence of any provision for repayment to the Federal Government of a portion, at least, of the moneys expended, to my mind, is a piece of governmental paternalism which I can not favor.

Respectfully submitted.

JOSEPH WALSH.

It is sought by those representing States hungry for a share of Federal funds to place Massachusetts upon an equal footing with the other States in the matter of apportionment, but to discriminate against her in the matter of taxation, by way of direct taxes which will be levied to provide this appropriation, and to allow her no credit for the millions she has spent in the past from money raised by taxes levied upon her own people, which taxes have been cheerfully paid, and which funds have been wisely expended, in constructing a system of highways which well may be termed the standard of the Nation.

Mr. MORGAN of Oklahoma. Mr. Chairman, I have listened to a good part of the debate on this bill and have read quite a number of the speeches.

Mr. SHACKLEFORD. Will the gentleman from Oklahoma yield to me for a minute?

Mr. MORGAN of Oklahoma. Certainly.

Mr. SHACKLEFORD. Mr. Chairman, I ask unanimous consent that all debate on this section and amendment thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that all debate on this section close in 10 minutes. Is there objection?

There was no objection.

Mr. MORGAN of Oklahoma. Mr. Chairman, this bill has been discussed with great ability and much earnestness. I have been wondering how able men can differ so widely upon a simple proposition like this. No one is to be criticized for his views on this or any other matter. We must assume that all are honest in their views. I have voted for every road bill that has been presented to this House since I have been a Member of it. This is the third bill that has been before the House since I came here. I shall vote for this bill. [Applause.] I can not now add materially to the discussion that has already taken place. Of course I believe that agriculture is our fundamental industry. I believe it is the duty of the National Government in every way possible to encourage that great industry. I believe the Federal Government should aid the States in building good roads. We do not do this as a gift to our farmers. But if we build good roads we do it on broad general grounds, that by so doing we strengthen the great Government of which we are proud to be citizens.

This bill provides that not to exceed \$25,000,000 annually shall be appropriated, to be distributed among the States, to encourage the building of good roads. The State, to participate in this fund, must contribute an amount equal to that which it receives from the National Government. Under the provisions of this bill, Oklahoma would receive annually from the National Treasury something over \$500,000. This would not build many miles of public highways. It would, however, be an encouragement and an incentive for our people to improve the character of our roads. In other words, this money would promote good road building. The National Government can not undertake to build roads for the States; it can, in view of the importance of good roads and their value to the Nation, take funds from the National Treasury as a means to insure greater activity in building good roads in the various States of the Union. I have been surprised that many of the Members of this House representing the great cities of the country have opposed this bill with vigor and ardor. No doubt they, in a large measure, represent the views of the majority of the people whom they represent; no doubt, too, they express their own honest convictions. I regret, however, that on this proposition there should seem to be an antagonism of interests between the city and the country. There is nothing more certain than that the country and city are really identical in interests. The city can not impoverish the country without in the long run impoverishing itself; the country can not grow and prosper without contributing bountifully to the wealth and development of the city. A proposition that means agricultural growth means commercial and industrial expansion. The country and the city are bound together by indissoluble ties which we can not break by either our speeches or our votes.

Some have insisted that national funds should be used only to build great interstate highways; yet we must remember that the flag floats over the most remote highway of this country.

The Constitution may not follow the flag, but the benefit of national appropriations should extend to every foot of soil over which the flag floats.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts.

The amendment was rejected.

Mr. KING. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 5, line 23, after the comma following the word "earth," insert the word "earth-oiled," followed by a comma.

Mr. KING. Mr. Chairman, I do not expect to take up the time of the committee, as I believe this amendment will be adopted unanimously. I have taken the matter up with the chairman of the committee, and I believe the members of the committee are favorably inclined toward this small amendment.

I wish to say one or two words in favor of the oiled road, which is not, as a matter of fact, recognized in this bill. I was very sorry the other day to have the gentleman from Indiana [Mr. Wood] attack the Illinois roads without any notice whatever when I was sitting beside him assisting him, so far as I could, in the passage of this bill. We admit that perhaps in certain parts of Illinois the roads are not up to what they ought to be, and I will concede to the gentleman the fact that he has good roads in Indiana, that he has a reasonable amount of blue sky in Indiana. He made one remark to the effect that more people in the United States cross the State of Indiana than any other State in the Union. I also concede that to be absolutely true. They always cross, but they seldom stop in Indiana. [Laughter.] Mr. Chairman, had the gentleman traveled in my section of the State over that thick black dirt—12 inches thick—that God Almighty placed there for the purpose of giving the people on the sand hills of Indiana something to eat, he would not have made the statement. There we used oil in the first place merely for laying the dust, but it was soon discovered that by treating the road properly, by putting a coat of oil on in the spring and again in the fall, and perhaps once after that, that we had what is absolutely a permanent road. Oil not only lays the dust, but it forms a foundation that is superior for the travel of wagons and automobiles. Therefore I trust that in view of the fact that all of the other amendments having been voted down, this one will be adopted without opposition. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

The Clerk read as follows:

SEC. 7. That this act shall be in force from and after its passage.

Mr. SIMS. Mr. Chairman, I move to strike out section 7. It is absolutely superfluous.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend on page 6 by striking out lines 8 and 9.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken.

Mr. SAUNDERS. Mr. Chairman, I ask unanimous consent that it go out of the bill.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that all of section 7 may be stricken from the bill. Is there objection?

There was no objection, and it was so ordered.

Mr. TOWNER. Mr. Chairman, I ask unanimous consent to return to the various sections in the bill where the phrase "construction or maintenance" occurs, except where the word "improvement" has already been inserted by amendment, and to insert after the word "construction" the word "improvement," and wherever the phrase "constructed or maintained" occurs to insert after the word "constructed" the word "improved," and I ask that the Clerk report those various places, which I have marked in the bill.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to return to certain portions of the bill for the purpose of offering an amendment which the Clerk will report.

The Clerk read as follows:

After the word "construction," on page 1, insert the word "improvement" in the amendment.

Page 4, line 2, after the word "construction," insert the word "improvement"; line 5, after the word "construction," insert the word "improvement"; line 8, after the word "construction," insert the word "improvement"; line 14, after the word "construction," insert the word "improvement"; line 16, after the word "construction," insert the word "improvement"; line 20, after the word "construction," insert the word "improvement"; line 21, after the word "construction," insert the word "improvement";

Page 5, line 6, after the word "constructed," insert the word "improved"; line 11, after the word "construction," insert the word "improvement"; line 20, after the word "constructed," insert the word "improved"; line 22, after the word "constructed," insert the word "improved."

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to return to the bill for the purpose of offering the amendments referred to. Is there objection?

There was no objection.

The CHAIRMAN. The question now is on agreeing to the amendments.

The amendments were agreed to.

Mr. SHACKLEFORD. Mr. Chairman, I move that the committee do now rise and report the bill as amended to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RUCKER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 7617, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. SHACKLEFORD. Mr. Speaker, I ask unanimous consent that the previous question be considered as ordered on the bill and all amendments to final passage.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the previous question be considered as ordered on the bill and amendments to final passage. Is there objection?

Mr. MANN. Mr. Speaker, I object to unanimous consent on the previous question at any time.

Mr. SHACKLEFORD. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The motion was agreed to and the previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The question was taken, and the amendments were agreed to. The bill as amended was ordered to be engrossed and read the third time; was read the third time.

Mr. HEFLIN. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Alabama rise?

Mr. HEFLIN. This vote is on the passage of the bill?

The SPEAKER. Yes.

Mr. HEFLIN. I would like to have a roll call and have a yeas-and-nays vote.

The SPEAKER. The gentleman from Alabama demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 283, nays 81, answered "present" 3, not voting 67, as follows:

YEAS—283.

Abercrombie	Crago	Harrison	Leshner
Adamson	Cramton	Hastings	Lever
Alexander	Crisp	Haugen	Lewis
Almon	Crosser	Hawley	Lieb
Anderson	Darrow	Hay	Lindbergh
Anthony	Davenport	Hayden	Linthicum
Ashbrook	Davis, Minn.	Heaton	Littlepage
Ayres	Davis, Tex.	Hefflin	Lloyd
Bailey	Decker	Helgesen	Lobeck
Barchfield	Denison	Helm	London
Barkley	Dent	Helvering	Loud
Barnhart	Dewalt	Henry	McClintic
Beakes	Dickinson	Hensley	McCracken
Bell	Dies	Hernandez	McCulloch
Black	Dill	Hilliard	McGillicuddy
Blackmon	Dillon	Hinds	McKellar
Boomer	Dixon	Holland	McKenzie
Borland	Doolittle	Hollingsworth	McKinley
Britt	Doremus	Hood	McLaughlin
Browne, Wis.	Doughton	Hopwood	Madden
Browning	Dowell	Houston	Mapes
Brumbaugh	Driscoll	Howard	Martin
Buchanan, Ill.	Dyer	Howell	Matthews
Buchanan, Tex.	Edwards	Huddleston	Mays
Burgess	Ellsworth	Hughes	Miller, Minn.
Burke	Emerson	Hulbert	Moon
Butler	Esch	Hull, Iowa	Mooney
Byrnes, S. C.	Estopinal	Hull, Tenn.	Moore, Pa.
Byrnes, Tenn.	Evans	Humphrey, Wash.	Moore, Ind.
Callaway	Farr	Humphreys, Miss.	Morgan, La.
Campbell	Fields	Igoe	Morgan, Okla.
Candler, Miss.	Finley	Jacoway	Morin
Cannon	Fordney	Johnson, Ky.	Mudd
Cantrill	Foster	Johnson, S. Dak.	Murray
Caraway	Fuller	Johnson, Wash.	Neely
Carlin	Gandy	Jones	Nelson
Carter, Okla.	Garland	Kearns	Nicholls, S. C.
Cary	Garner	Keating	Nichols, Mich.
Casey	Glass	Kelster	North
Church	Godwin, N. C.	Kelley	Norton
Clark, Fla.	Good	Kennedy, Iowa	Oldfield
Collier	Goodwin, Ark.	Kincheloe	Oliver
Connelly	Gray, Ind.	King	Overmyer
Cooper, W. Va.	Green, Iowa.	Kinkaid	Padgett
Cooper, Wis.	Hadley	Kitchin	Page, N. C.
Copley	Hamilton, Mich.	La Follette	Park
Costello	Hamlin	Langley	Peters
Cox	Hardy	Lee	Pou

Powers	Scott, Mich.	Steenerson	Venable
Price	Scott, Pa.	Stephens, Miss.	Vinson
Quin	Sears	Stephens, Nebr.	Volstead
Rainey	Sells	Sterling	Walker
Raker	Shackleford	Stone	Wason
Ramseyer	Shallenberger	Stout	Watkins
Randall	Sherley	Suloway	Watson, Pa.
Rauch	Sherwood	Summers	Watson, Va.
Rayburn	Shouse	Sweet	Webb
Reavis	Sims	Switzer	Whaley
Ricketts	Sinnott	Taggart	Wheeler
Roberts, Mass.	Sisson	Tavener	Williams, T. S.
Roberts, Nev.	Slomp	Taylor, Ark.	Williams, W. E.
Rodenberg	Sloan	Taylor, Colo.	Williams, Ohio
Rouse	Small	Temple	Wilson, Fla.
Rowland	Smith, Idaho	Thomas	Wilson, La.
Rubey	Smith, Mich.	Thompson	Wingo
Rucker	Smith, N. Y.	Tillman	Wise
Russell, Mo.	Smith, Tex.	Timberlake	Wood, Ind.
Russell, Ohio	Sparkman	Towner	Woods, Iowa
Sabath	Stedman	Tribble	Young, N. Dak.
Saunders	Steele, Iowa	Van Dyke	Young, Tex.
Schall	Steele, Pa.	Vare	

## NAYS—81.

Allen	Gallivan	McArthur	Sanford
Bacharach	Gardner	McDermott	Siegel
Bennet	Gillett	Magee	Slayden
Britten	Glynn	Mann	Smith, Minn.
Caldwell	Gordon	Meeker	Snell
Capstick	Gray, N. J.	Miller, Del.	Snyder
Carter, Mass.	Greene, Mass.	Mondell	Stafford
Charles	Greene, Vt.	Moss, Ind.	Stephens, Cal.
Chipherfield	Griffin	Mott	Stephens, Tex.
Coady	Hamilton, N. Y.	Nolan	Stinnes
Coleman	Hart	Oakey	Swift
Conry	Haskell	Olney	Tague
Curry	Hicks	O'Shaunessy	Tilson
Dale, Vt.	Hill	Palge, Mass.	Tinkham
Dallinger	Husted	Parker, N. J.	Treadway
Danforth	James	Phelan	Walsh
Dunn	Kahn	Platt	Wilson, Ill.
Elston	Kennedy, R. I.	Pratt	Winslow
Fitzgerald	Lenrow	Reilly	
Foss	Longworth	Rogers	
Freeman	McAndrews	Rowe	

## ANSWERED "PRESENT"—3.

Garrett	Gould	Hayes
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## NOT VOTING—67.

Adair	Dupré	Griest	Maher
Aiken	Eagan	Guernsey	Miller, Pa.
Aswell	Eagle	Hamill	Montague
Austin	Edmonds	Hutchinson	Morrison
Beales	Fairchild	Kent	Moss, W. Va.
Brown, W. Va.	Farley	Kettner	Oglesby
Bruckner	Ferris	Key, Ohio	Parker, N. Y.
Burnett	Fess	Kiess, Pa.	Patten
Carew	Flood	Konop	Porter
Chandler, N. Y.	Flynn	Kreider	Ragsdale
Cline	Focht	Lafean	Riordan
Cooper, Ohio	Frear	Lazaro	Scully
Cullop	Gallagher	Lehlbach	Stegall
Dale, N. Y.	Gard	Liebel	Sutherland
Dempsey	Graham	Loft	Talbott
Dooling	Gray, Ala.	McFadden	Ward
Drukker	Gregg	McLemore	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. STEAGALL (for road bill) with Mr. FAIRCHILD (against).  
 Mr. FERRIS (for road bill) with Mr. HAMILL (against).  
 Mr. GRIEST (for road bill) with Mr. LEHLBACH (against).  
 Mr. SCULLY (for road bill) with Mr. PATTEN (against).  
 Mr. CULLOP (for road bill) with Mr. MORRISON (against).  
 Mr. DUPRÉ (for road bill) with Mr. GOULD (against).  
 Mr. AUSTIN (for road bill) with Mr. HUTCHINSON (against).  
 Mr. ASWELL (for road bill) with Mr. KENT (against).  
 Mr. LAZARO (for road bill) with Mr. DEMPSEY (against).  
 Mr. KONOP (for road bill) with Mr. WARD (against).  
 Mr. BURNETT with Mr. HAYES.  
 Mr. MAHER with Mr. GRAHAM.  
 Until further notice:  
 Mr. TALBOTT with Mr. BEALES.  
 Mr. DOOLING with Mr. MCFADDEN.  
 Mr. BRUCKNER with Mr. LAFEAN.  
 Mr. DALE of New York with Mr. KIESS of Pennsylvania.  
 Mr. CLINE with Mr. KREIDER.  
 Mr. LIEBEL with Mr. FOCHT.  
 Mr. AIKEN with Mr. EDMONDS.  
 Mr. RIORDAN with Mr. MILLER of Pennsylvania.  
 Mr. GARRETT with Mr. FESS.  
 Mr. ADAIR with Mr. FREAR.  
 Mr. BROWN of West Virginia with Mr. MOSS of West Virginia.  
 Mr. EAGAN with Mr. PARKER of New York.  
 Mr. FLOOD with Mr. GUERNSEY.  
 Mr. MONTAGUE with Mr. SUTHERLAND.  
 Mr. GREGG with Mr. PORTER.  
 Mr. KEY of Ohio with Mr. COOPER of Ohio.  
 Mr. GALLAGHER with Mr. DRUKKER.

Mr. GARRETT. Mr. Speaker, I desire to withdraw my vote of "nay" and answer "present," having a pair with the gentleman from Ohio [Mr. FESS].

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to provide that, in order to promote agriculture, afford better facilities for rural transportation and marketing farm products, and encourage the development of a general system of improved highways, the Secretary of Agriculture, on behalf of the United States, shall in certain cases aid the States in the construction, improvement, and maintenance of roads which may be used in the transportation of interstate commerce, military supplies, or postal matters."

On motion of Mr. SHACKLEFORD, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. SHACKLEFORD. Mr. Speaker, I ask unanimous consent that all Members have five legislative days in which to extend their remarks in the Record.

The SPEAKER. On this bill?

Mr. SHACKLEFORD. Yes, sir.

The SPEAKER. The gentleman from Missouri asks unanimous consent that all Members shall have five legislative days in which to extend their remarks in the Record on this bill. Is there objection?

There was no objection.

## WITHDRAWAL OF PAPERS.

Mr. WILLIAMS of Ohio, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of H. R. 7728, Sixty-second Congress, first session, no adverse report having been made thereon.

## LEAVE OF ABSENCE.

Mr. MILLER of Pennsylvania, by unanimous consent, was granted leave of absence for two days on account of illness in his family.

## THE PRINTING BILL.

Mr. BARNHART. Mr. Speaker, I ask unanimous consent that the bill H. R. 8664, known as the printing bill, be given privileged status, with one hour's general debate, subject to preference being given to consideration of appropriation, revenue, and regularly privileged bills, and with the definite agreement that while this bill is being considered it may be displaced at any time for the consideration of any of the aforesaid bills.

The SPEAKER. The gentleman from Indiana [Mr. BARNHART] asks unanimous consent that the bill H. R. 8664, usually known as the printing bill, shall be given privileged status, subject to appropriation bills and other privileged matters, and that the general debate on it be confined to one hour. Is there objection?

Mr. MANN. Reserving the right to object, what is the object in the request in saying that there is a definite agreement that the bill may be displaced by certain other bills when a previous part of the agreement has said that the privileged status is subject to other bills?

Mr. BARNHART. That is a form of emphasis used in Indiana that is not common in Chicago. It is so as to make it clear.

Mr. MANN. It may be used in Indiana, but it would not be in any other civilized portion of the world. That is an agreement that would compel the House against its wish to take up an appropriation bill when it did not want to, which under the rules of the House ought not to be entered into.

The SPEAKER. The Chair did not include that.

Mr. MANN. But I want it eliminated, so that there will be no question about it.

Mr. BARNHART. I want to say to the gentleman from Illinois [Mr. MANN] that this language was submitted to a former parliamentarian of the House, and that was the language in which it was prepared. The purpose of it was to make it clear what this unanimous consent is; and I might explain the purpose is that the bill will not get in the way of any appropriation, revenue, or any privileged bill. When the House has not anything to do we can proceed with the consideration of this bill.

Mr. MANN. There are no privileged bills, practically, except revenue bills, appropriation bills, the reports of the Committees on Accounts, Rules, and so forth. However, the latter does not report bills. I suppose this bill would be a pretty good bill to occupy the rest of the session when we are not considering appropriation bills. I do not think I will object. I think we can make very good use of this bill to head off the gentleman from Missouri [Mr. ALEXANDER] and the gentleman from South Carolina [Mr. LEVER] and various other gentlemen who have administrative measures that they want passed.

The SPEAKER. Is there objection?

Mr. RUSSELL of Missouri. Reserving the right to object—

Mr. FITZGERALD. Mr. Speaker, I reserve the right to object.

Mr. ALEXANDER. I object, Mr. Speaker.

Mr. LEVER. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from South Carolina rise?

Mr. LEVER. I desire to submit a request for unanimous consent.

The SPEAKER. We have not gotten through with this other one yet.

Mr. LEVER. I understood the gentleman from Missouri [Mr. ALEXANDER] objected.

The SPEAKER. The Chair did not hear him if he did. Does the gentleman from Missouri [Mr. ALEXANDER] object?

Mr. ALEXANDER. I do object.

The SPEAKER. That ends it.

#### THE WAREHOUSE BILL.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that House bill 9419, known as the warehouse bill, be given a privileged status, with two hours' general debate, subject to the preference being given to appropriation and revenue bills.

The SPEAKER. The gentleman from South Carolina [Mr. LEVER] asks unanimous consent that the warehouse bill be given a privileged status, with two hours' general debate, subject to the conditions imposed as to privileged bills. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I have no objection to the taking up of the bills mentioned by the gentleman from South Carolina [Mr. LEVER] and the gentleman from Indiana [Mr. BARNHART]. I do not know when we are going to have an appropriation bill. It looks as though we would not have any this session until after the fiscal year has expired. [Laughter.] Some gentlemen on this side of the House still would like to be heard in general debate, and we would like to have a little more time on general debate on some bills.

Mr. LEVER. I will say to the gentleman from Illinois, Mr. Speaker, that I am quite willing to modify my request so as to reach an agreement as to the time for general debate. I had hoped that we might be able to get this bill on the floor on Thursday of this week, and if so, if the gentleman would suggest the amount of general debate he would like to have, I think we could easily agree about that before submitting the final request.

Mr. MANN. So far as I am concerned, Mr. Speaker, I would be willing to agree on three hours' debate on this side.

Mr. LEVER. I modify my request, Mr. Speaker, and ask for three hours' general debate instead of two hours. Make it two hours on a side.

Mr. MANN. Oh, no. We have to have some time for general debate.

Mr. LEVER. Then I suggest to the gentleman that we make it five hours, he to have three hours on his side and we two hours.

Mr. MANN. I have no objection to that.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that the warehouse bill, H. R. 9419, be given a privileged status, with five hours' general debate, two hours for the proponents of the bill and three hours for the opposition to the bill.

The SPEAKER. The gentleman from South Carolina [Mr. LEVER] asks unanimous consent that the warehouse bill be given a privileged status, not to interfere with privileged bills and appropriation bills, and that the general debate thereon be limited to five hours, two hours to be controlled by himself and three hours by the gentleman—

Mr. MANN. The gentleman from Iowa [Mr. HAUGEN].

The SPEAKER. From Iowa [Mr. HAUGEN]. Is there objection?

Mr. FITZGERALD. I object, Mr. Speaker. I move that the House do now adjourn.

The SPEAKER. The gentleman from New York objects, and moves that the House do now adjourn.

#### INCOME-TAX DECISION.

Mr. HULL of Tennessee. Mr. Speaker, I ask unanimous consent that the opinion of the Supreme Court on what is known as the income-tax cases be made a House document, and that 25,000 copies be printed and placed in the folding room to the credit of Members.

Mr. FITZGERALD. I yield to the gentleman.

The SPEAKER. The gentleman from Tennessee [Mr. HULL] asks unanimous consent that the decision of the Supreme Court in the income tax cases, recently delivered, be made a House

document and 25,000 copies printed, to be placed in the folding room to the credit of the Members. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I have no objection whatever to having the act done or as to the number of copies to be printed; but I think a matter of this sort ought to have been introduced this morning as a resolution and referred to the Committee on Printing, so that if it were deemed desirable it could have brought in a report this evening, being privileged, and had it considered. I shall object to all requests of this sort that are not submitted to the Committee on Printing.

The SPEAKER. The gentleman from Illinois objects.

Mr. HULL of Tennessee. Mr. Speaker, will the gentleman reserve his objection for a moment?

Mr. MANN. Certainly.

Mr. HULL of Tennessee. I will say to the gentleman from Illinois that there were so many urgent requests for copies of this decision that I took the matter up with the gentleman from Indiana [Mr. BARNHART], and he inquired of the Printing Office as to the cost of printing the document, and ascertained that it would be a little less than \$200 for printing the number named, and owing to the urgent demand on the part of many Members for copies of this decision I felt constrained to submit this request.

Mr. MANN. I think it will not make any difference as to the time when they would be printed.

The SPEAKER. Does the gentleman from Illinois adhere to his objection?

Mr. MANN. I do.

Mr. HULL of Tennessee. I ask unanimous consent, Mr. Speaker, to extend my remarks in the RECORD by printing the decision to which I have referred.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the CONGRESSIONAL RECORD by printing the decision of the Supreme Court referred to. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I shall not object to the request. I think that is perfectly proper. I think that there ought to be a House document and a Senate document printed.

The SPEAKER. Is there objection?

There was no objection.

Following is the decision referred to:

#### SUPREME COURT OF THE UNITED STATES.

(No. 140. October Term, 1915.)

FRANK R. BRUSHABER, APPELLANT, v. UNION PACIFIC RAILROAD CO. APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK.

(Jan. 24, 1916.)

Mr. Chief Justice White delivered the opinion of the court.

"As a stockholder of the Union Pacific Railroad Co. the appellant filed his bill to enjoin the corporation from complying with the income-tax provisions of the tariff act of October 3, 1913 (Sec. II, ch. 16, 38 Stat., 166). Because of constitutional questions duly arising the case is here on direct appeal from a decree sustaining a motion to dismiss because no ground for relief was stated.

"The right to prevent the corporation from returning and paying the tax was based upon many averments as to the repugnancy of the statute to the Constitution of the United States, of the peculiar relation of the corporation to the stockholders and their particular interests resulting from any of the administrative provisions of the assailed act, of the confusion, wrong, and multiplicity of suits and the absence of all means of redress which would result if the corporation paid the tax and complied with the act in other respects without protest, as it was alleged it was its intention to do. To put out of the way a question of jurisdiction we at once say that in view of these averments and the ruling in *Pollock v. Farmers' Loan & Trust Co.* (157 U. S., 429), sustaining the right of a stockholder to sue to restrain a corporation under proper averments from voluntarily paying a tax charged to be unconstitutional on the ground that to permit such a suit did not violate the prohibitions of section 3224, Revised Statutes, against enjoining the enforcement of taxes, we are of opinion that the contention here made that there was no jurisdiction of the cause since to entertain it would violate the provisions of the Revised Statutes referred to is without merit. Before coming to dispose of the case on the merits, however, we observe that the defendant corporation having called the attention of the Government to the pendency of the cause and the nature of the controversy and its unwillingness to voluntarily refuse to comply with the act assailed, the United States as *amicus curiæ* has at bar been heard both orally and by brief for the purpose of sustaining the decree.

"Aside from averments as to citizenship and residence, recitals as to the provisions of the statute and statements as to the business of the corporation contained in the first 10 paragraphs of the bill advanced to sustain jurisdiction, the bill alleged 21 constitutional objections specified in that number of paragraphs or subdivisions. As all the grounds assert a violation of the Constitution it follows that in a wide sense they all charge a repugnancy of the statute to the sixteenth amendment under the more immediate sanction of which the statute was adopted.

"The various propositions are so intermingled as to cause it to be difficult to classify them. We are of opinion, however, that the confusion is not inherent, but rather arises from the conclusion that the sixteenth amendment provides for a hitherto unknown power of taxation; that is, a power to levy an income tax which although direct should not be subject to the regulation of apportionment applicable to all other direct taxes. And the far-reaching effect of this erroneous assumption will be made clear by generalizing the many contentions advanced in argument to support it, as follows: (a) The amendment authorizes only a particular character of direct tax without apportionment, and therefore if a tax is levied under its assumed authority which does not partake of the characteristics exacted by the amendment it is outside of the amendment and is void as a direct tax in the general constitutional sense because not apportioned. (b) As the amendment authorizes a tax only upon incomes 'from whatever source derived,' the exclusion from taxation of some income of designated persons and classes is not authorized and hence the constitutionality of the law must be tested by the general provisions of the Constitution as to taxation, and thus again the tax is void for want of apportionment. (c) As the right to tax 'incomes from whatever source derived' for which the amendment provides must be considered as exacting intrinsic uniformity, therefore no tax comes under the authority of the amendment not conforming to such standard, and hence all the provisions of the assailed statute must once more be tested solely under the general and preexisting provisions of the Constitution, causing the statute again to be void in the absence of apportionment. (d) As the power conferred by the amendment is new and prospective the attempt in the statute to make its provisions retroactively apply is void, because so far as the retroactive period is concerned it is governed by the preexisting constitutional requirement as to apportionment.

"But it clearly results that the proposition and the contentions under it, if acceded to, would cause one provision of the Constitution to destroy another; that is, they would result in bringing the provisions of the amendment exempting a direct tax from apportionment into irreconcilable conflict with the general requirement that all direct taxes be apportioned. Moreover, the tax authorized by the amendment, being direct, would not come under the rule of uniformity applicable under the Constitution to other than direct taxes, and thus it would come to pass that the result of the amendment would be to authorize a particular direct tax not subject either to apportionment or to the rule of geographical uniformity, thus giving power to impose a different tax in one State or States than was levied in another State or States. This result instead of simplifying the situation and making clear the limitations on the taxing power, which obviously the amendment must have been intended to accomplish, would create radical and destructive changes in our constitutional system and multiply confusion.

"But let us by a demonstration of the error of the fundamental proposition as to the significance of the amendment dispel the confusion necessarily arising from the arguments deduced from it. Before coming, however, to the text of the amendment, to the end that its significance may be determined in the light of the previous legislative and judicial history of the subject with which the amendment is concerned and with a knowledge of the conditions which presumptively led up to its adoption and hence of the purpose it was intended to accomplish, we make a brief statement on those subjects.

"That the authority conferred upon Congress by section 8 of Article I, 'to lay and collect taxes, duties, imposts, and excises,' is exhaustive and embraces every conceivable power of taxation has never been questioned, or, if it has, has been so often authoritatively declared as to render it necessary only to state the doctrine. And it has also never been questioned from the foundation, without stopping presently to determine under which of the separate headings the power was properly to be classed, that there was authority given, as the part was included in the whole, to lay and collect income taxes. Again it has never, moreover, been questioned that the conceded complete and all-embracing taxing power was subject, so far as they were respectively applicable, to limitations resulting from the requirements of Article I, section 8, clause 1, that 'all duties, imposts, and excises shall be uniform throughout the United

States,' and to the limitations of Article I, section 2, clause 3, that 'direct taxes shall be apportioned among the several States,' and of Article I, section 9, clause 4, that 'no capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.' In fact, the two great subdivisions embracing the complete and perfect delegation of the power to tax and the two correlated limitations as to such power were thus aptly stated by Mr. Chief Justice Fuller in *Pollock v. Farmers' Loan & Trust Co.*, supra, at page 557: 'In the matter of taxation, the Constitution recognizes the two great classes of direct and indirect taxes, and lays down two rules by which their imposition must be governed, namely, the rule of apportionment as to direct taxes and the rule of uniformity as to duties, imposts, and excises.' It is to be observed, however, as long ago pointed out in *Veazie Bank v. Fenno* (8 Wall., 533, 541), that the requirement of apportionment as to one of the great classes and of uniformity as to the other class were not so much a limitation upon the complete and all-embracing authority to tax, but in their essence were simply regulations concerning the mode in which the plenary power was to be exerted. In the whole history of the Government down to the time of the adoption of the sixteenth amendment, leaving aside some conjectures expressed of the possibility of a tax lying intermediate between the two great classes and embraced by neither, no question has been anywhere made as to the correctness of these propositions. At the very beginning, however, there arose differences of opinion concerning the criteria to be applied in determining in which of the two great subdivisions a tax would fall. Without pausing to state at length the basis of these differences and the consequences which arose from them, as the whole subject was elaborately reviewed in *Pollock v. Farmers' Loan & Trust Co.* (157 U. S., 429; 158 U. S., 601), we make a condensed statement which is, in substance, taken from what was said in that case. Early the differences were manifested in pressing on the one hand and opposing on the other the passage of an act levying a tax without apportionment on carriages 'for the conveyance of persons,' and when such a tax was enacted the question of its repugnancy to the Constitution soon came to this court for determination. (*Hylton v. United States*, 3 Dall., 171.) It was held that the tax came within the class of excises, duties, and imposts, and therefore did not require apportionment, and while this conclusion was agreed to by all the members of the court who took part in the decision of the case, there was not an exact coincidence in the reasoning by which the conclusion was sustained. Without stating the minor differences, it may be said with substantial accuracy that the divergent reasoning was this: On the one hand, that the tax was not in the class of direct taxes requiring apportionment, because it was not levied directly on property because of its ownership, but rather on its use, and was, therefore, an excise, duty, or impost; and, on the other, that in any event the class of direct taxes included only taxes directly levied on real estate because of its ownership.

"Putting out of view the difference of reasoning which led to the concurrent conclusion in the *Hylton* case, it is undoubtedly that it came to pass in legislative practice that the line of demarcation between the two great classes of direct taxes on the one hand and excises, duties, and imposts on the other, which was exemplified by the ruling in that case, was accepted and acted upon. In the first place, this is shown by the fact that wherever—and there were a number of cases of that kind—a tax was levied directly on real estate or slaves because of ownership it was treated as coming within the direct class, and apportionment was provided for, while no instance of apportionment as to any other kind of tax is afforded. Again, the situation is aptly illustrated by the various acts taxing incomes derived from property of every kind and nature which were enacted beginning in 1861 and lasting during what may be termed the Civil War period. It is not disputable that these latter taxing laws were classed under the head of excises, duties, and imposts, because it was assumed that they were of that character, inasmuch as, although putting a tax burden on income of every kind, including that derived from property, real or personal, they were not taxes directly on property because of its ownership. And this practical construction came in theory to be the accepted one, since it was adopted without dissent by the most eminent of the text-writers. (1 Kent, Com., 254, 256; 1 Story Const., sec. 955; Cooley Const. Lim. (5th ed.), \*480; Miller on the Constitution, 237; Pomeroy's Const. Law, sec. 281; Hare Const. Law, vol. 1, 249, 250; Burroughs on Taxation, 502; Ordronaux, Const. Leg., 225.)

"Upon the lapsing of a considerable period after the repeal of the income-tax laws referred to, in 1894 an act was passed laying a tax on incomes from all classes of property and other sources of revenue which was not apportioned, and which, there-

fore, was, of course, assumed to come within the classification of excises, duties, and imposts which were subject to the rule of uniformity but not to the rule of apportionment. The constitutional validity of this law was challenged on the ground that it did not fall within the class of excises, duties, and imposts, but was direct in the constitutional sense, and was therefore void for want of apportionment; and that question came to this court and was passed upon in *Pollock v. Farmers' Loan & Trust Co.* (157 U. S., 429; 158 U. S., 601). The court, fully recognizing in the passage which we have previously quoted the all-embracing character of the two great classifications, including, on the one hand, direct taxes subject to apportionment, and, on the other, excises, duties, and imposts subject to uniformity, held the law to be unconstitutional in substance for these reasons: Concluding that the classification of direct was adopted for the purpose of rendering it impossible to burden by taxation accumulations of property, real or personal, except subject to the regulation of apportionment, it was held that the duty existed to fix what was a direct tax in the constitutional sense so as to accomplish this purpose contemplated by the Constitution. (157 U. S., 581.) Coming to consider the validity of the tax from this point of view, while not questioning at all that in common understanding it was direct merely on income and only indirect on property, it was held that considering the substance of things it was direct on property in a constitutional sense, since to burden an income by a tax was, from the point of substance, to burden the property from which the income was derived and thus accomplish the very thing which the provision as to apportionment of direct taxes was adopted to prevent. As this conclusion but enforced a regulation as to the mode of exercising power under particular circumstances, it did not in any way dispute the all-embracing taxing authority possessed by Congress, including necessarily therein the power to impose income taxes if only they conformed to the constitutional regulations which were applicable to them. Moreover, in addition, the conclusion reached in the *Pollock* case did not in any degree involve holding that income taxes generically and necessarily came within the class of direct taxes on property, but, on the contrary, recognized the fact that taxation on income was in its nature an excise entitled to be enforced as such unless and until it was concluded that to enforce it would amount to accomplishing the result which the requirement as to apportionment of direct taxation was adopted to prevent, in which case the duty would arise to disregard form and consider substance alone, and hence subject the tax to the regulation as to apportionment, which otherwise as an excise would not apply to it. Nothing could serve to make this clearer than to recall that in the *Pollock* case, in so far as the law taxed incomes from other classes of property than real estate and invested personal property—that is, income from 'professions, trades, employments, or vocations' (158 U. S., 637)—its validity was recognized; indeed, it was expressly declared that no dispute was made upon that subject, and attention was called to the fact that taxes on such income had been sustained as excise taxes in the past. (Id., p. 635.) The whole law was, however, declared unconstitutional on the ground that to permit it to thus operate would relieve real estate and invested personal property from taxation and 'would leave the burden of the tax to be borne by professions, trades, employments, or vocations, and in that way what was intended as a tax on capital would remain, in substance, a tax on occupations and labor' (ib., p. 637), a result which it was held could not have been contemplated by Congress.

"This is the text of the amendment:

"The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

"It is clear on the face of this text that it does not purport to confer power to levy income taxes in a generic sense—an authority already possessed and never questioned—or to limit and distinguish between one kind of income taxes and another, but that the whole purpose of the amendment was to relieve all income taxes when imposed from apportionment from a consideration of the source whence the income was derived. Indeed in the light of the history which we have given and of the decision in the *Pollock* case and the ground upon which the ruling in that case was based, there is no escape from the conclusion that the amendment was drawn for the purpose of doing away for the future with the principle upon which the *Pollock* case was decided; that is, of determining whether a tax on income was direct not by a consideration of the burden placed on the taxed income upon which it directly operated, but by taking into view the burden which resulted on the property from which the income was derived, since in express

terms the amendment provides that income taxes, from whatever source the income may be derived, shall not be subject to the regulation of apportionment. From this, in substance, it indisputably arises, first, that all the contentions which we have previously noticed concerning the assumed limitations to be implied from the language of the amendment as to the nature and character of the income taxes which it authorizes find no support in the text and are in irreconcilable conflict with the very purpose which the amendment was adopted to accomplish. Second, that the contention that the amendment treats a tax on income as a direct tax although it is relieved from apportionment and is necessarily therefore not subject to the rule of uniformity, as such rule only applies to taxes which are not direct, thus destroying the two great classifications which have been recognized and enforced from the beginning, is also wholly without foundation since the command of the amendment, that all income taxes shall not be subject to apportionment by a consideration of the sources from which the taxed income may be derived, forbids the application to such taxes of the rule applied in the *Pollock* case by which alone such taxes were removed from the great class of excises, duties, and imposts subject to the rule of uniformity and were placed under the other or direct class. This must be unless it can be said that although the Constitution, as a result of the amendment, in express terms excludes the criterion of source of income, that criterion yet remains for the purpose of destroying the classifications of the Constitution by taking an excise out of the class to which it belongs and transferring it to a class in which it can not be placed consistently with the requirements of the Constitution. Indeed, from another point of view, the amendment demonstrates that no such purpose was intended and, on the contrary, shows that it was drawn with the object of maintaining the limitations of the Constitution and harmonizing their operation. We say this because it is to be observed that although from the date of the *Hylton* case, because of statements made in the opinions in that case, it had come to be accepted that direct taxes in the constitutional sense were confined to taxes levied directly on real estate because of its ownership, the amendment contains nothing repudiating or challenging the ruling in the *Pollock* case that the word direct had a broader significance since it embraced also taxes levied directly on personal property because of its ownership, and therefore the amendment at least impliedly makes such wider significance a part of the Constitution—a condition which clearly demonstrates that the purpose was not to change the existing interpretation except to the extent necessary to accomplish the result intended; that is, the prevention of the resort to the sources from which a taxed income was derived in order to cause a direct tax on the income to be a direct tax on the source itself, and thereby to take an income tax out of the class of excises, duties, and imposts and place it in the class of direct taxes.

"We come, then, to ascertain the merits of the many contentions made in the light of the Constitution as it now stands; that is to say, including within its terms the provisions of the sixteenth amendment as correctly interpreted. We first dispose of two propositions assailing the validity of the statute on the one hand because of its repugnancy to the Constitution in other respects, and especially because its enactment was not authorized by the sixteenth amendment.

"The statute was enacted October 3, 1913, and provided for a general yearly income tax from December to December of each year. Exceptionally, however, it fixed a first period embracing only the time from March 1 to December 31, 1913, and this limited retroactivity is assailed as repugnant to the due-process clause of the fifth amendment and as inconsistent with the sixteenth amendment itself. But the date of the retroactivity did not extend beyond the time when the amendment was operative, and there can be no dispute that there was power by virtue of the amendment during that period to levy the tax, without apportionment, and so far as the limitations of the Constitution in other respects are concerned, the contention is not open, since in *Stockdale v. Insurance Companies* (20 Wall., 323, 331), in sustaining a provision in a prior income-tax law which was assailed because of its retroactive character, it was said:

"The right of Congress to have imposed this tax by a new statute, although the measure of it was governed by the income of the past year, can not be doubted; much less can it be doubted that it could impose such a tax on the income of the current year, though part of that year had elapsed when the statute was passed. The joint resolution of July 4, 1864, imposed a tax of 5 per cent upon all income of the previous year, although one tax on it had already been paid, and no one doubted the validity of the tax or attempted to resist it.

"The statute provides that the tax should not apply to enumerated organizations or corporations, such as labor, agricultural, or horticultural organizations, mutual savings banks, etc.,

and the argument is that as the amendment authorized a tax on incomes 'from whatever source derived,' by implication it excluded the power to make these exemptions. But this is only a form of expressing the erroneous contention as to the meaning of the amendment, which we have already disposed of. And so far as this alleged illegality is based on other provisions of the Constitution, the contention is also not open, since it was expressly considered and disposed of in *Flint v. Stone Tracy Co.* (220 U. S., 108, 173).

"Without expressly stating all the other contentions, we summarize them to a degree adequate to enable us to typify and dispose of all of them.

"1. The statute levies one tax called a normal tax on all incomes of individuals up to \$20,000 and from that amount up by gradations, a progressively increasing tax called an additional tax, is imposed. No tax, however, is levied upon incomes of unmarried individuals amounting to \$3,000 or less nor upon incomes of married persons amounting to \$4,000 or less. The progressive tax and the exempted amounts, it is said, are based on wealth alone, and the tax is therefore repugnant to the due-process clause of the fifth amendment.

"2. The act provides for collecting the tax at the source—that is, makes it the duty of corporations, etc., to retain and pay the sum of the tax on interest due on bonds and mortgages, unless the owner to whom the interest is payable gives a notice that he claims an exemption. This duty cast upon corporations, because of the cost to which they are subjected, is asserted to be repugnant to due process of law as a taking of their property without compensation, and we recapitulate various contentions as to discrimination against corporations and against individuals predicated on provisions of the act dealing with the subject:

"(a) Corporations indebted upon coupon and registered bonds are discriminated against, since corporations not so indebted are relieved of any labor or expense involved in deducting and paying the taxes of individuals on the income derived from bonds.

"(b) Of the class of corporations indebted as above stated, the law further discriminates against those which have assumed the payment of taxes on their bonds, since although some or all of their bondholders may be exempt from taxation, the corporations have no means of ascertaining such fact, and it would therefore result that taxes would often be paid by such corporations when no taxes were owing by the individuals to the Government.

"(c) The law discriminates against owners of corporate bonds in favor of individuals none of whose income is derived from such property, since bondholders are, during the interval between the deducting and the paying of the tax on their bonds, deprived of the use of the money so withheld.

"(d) Again corporate bondholders are discriminated against because the law does not release them from payment of taxes on their bonds even after the taxes have been deducted by the corporation, and therefore if after deduction the corporation should fail, the bondholders would be compelled to pay the tax a second time.

"(e) Owners of bonds the taxes on which have been assumed by the corporation are discriminated against, because the payment of the taxes by the corporation does not relieve the bondholders of their duty to include the income from such bonds in making a return of all income, the result being a double payment of the taxes, labor and expense in applying for a refund, and a deprivation of the use of the sum of the taxes during the interval which elapses before they are refunded.

"3. The provision limiting the amount of interest paid which may be deducted from gross income of corporations for the purpose of fixing the taxable income to interest on indebtedness not exceeding one-half the sum of bonded indebtedness and paid-up capital stock, is also charged to be wanting in due process because discriminating between different classes of corporations and individuals.

"4. It is urged that want of due process results from the provision allowing individuals to deduct from their gross income dividends paid them by corporations whose incomes are taxed and not giving such right of deduction to corporations.

"5. Want of due process is also asserted to result from the fact that the act allows a deduction of \$3,000 or \$4,000 to those who pay the normal tax; that is, whose incomes are \$20,000 or less, and does not allow the deduction to those whose incomes are greater than \$20,000; that is, such persons are not allowed for the purpose of the additional or progressive tax a second right to deduct the \$3,000 or \$4,000 which they have already enjoyed. And a further violation of due process is based on the fact that for the purpose of the additional tax no second right to deduct dividends received from corporations is permitted.

"6. In various forms of statement want of due process, it is, moreover, insisted, arises from the provisions of the act allowing a deduction for the purpose of ascertaining the taxable income of stated amounts on the ground that the provisions discriminate between married and single people and discriminate between husbands and wives who are living together and those who are not.

"7. Discrimination and want of due process results, it is said, from the fact that the owners of houses in which they live are not compelled to estimate the rental value in making up their incomes, while those who are living in rented houses and pay rent are not allowed, in making up their taxable income, to deduct rent which they have paid, and that want of due process also results from the fact that although family expenses are not as a rule permitted to be deducted from gross to arrive at taxable income, farmers are permitted to omit from their income return certain products of the farm which are susceptible of use by them for sustaining their families during the year.

"So far as these numerous and minute, not to say in many respects hypercritical, contentions are based upon an assumed violation of the uniformity clause, their want of legal merit is at once apparent, since it is settled that that clause exacts only a geographical uniformity, and there is not a semblance of ground in any of the propositions for assuming that a violation of such uniformity is complained of. (*Knowlton v. Moore*, 178 U. S., 41; *Patton v. Brady*, 184 U. S., 608, 622; *Flint v. Stone Tracy Co.*, 220 U. S., 107, 158; *Billings v. United States*, 232 U. S., 608, 622.)

"So far as the due-process clause of the fifth amendment is relied upon, it suffices to say that there is no basis for such reliance, since it is equally well settled that such clause is not a limitation upon the taxing power conferred upon Congress by the Constitution; in other words, that the Constitution does not conflict with itself by conferring upon the one hand a taxing power and taking the same power away on the other by the limitations of the due-process clause. (*Treat v. White*, 181 U. S., 264; *Patton v. Brady*, 184 U. S., 608; *McCray v. United States*, 195 U. S., 27, 61; *Flint v. Stone Tracy Co.*, supra; *Billings v. United States*, 232 U. S., 261, 282.) And no change in the situation here would arise even if it be conceded, as we think it must be, that this doctrine would have no application in a case where although there was a seeming exercise of the taxing power, the act complained of was so arbitrary as to constrain to the conclusion that it was not the exertion of taxation but a confiscation of property; that is, a taking of the same in violation of the fifth amendment, or, what is equivalent thereto, was so wanting in basis for classification as to produce such a gross and patent inequality as to inevitably lead to the same conclusion. We say this because none of the propositions relied upon in the remotest degree present such questions.

"It is true that it is elaborately insisted that although there be no express constitutional provision prohibiting it, the progressive feature of the tax causes it to transcend the conception of all taxation and to be a mere arbitrary abuse of power which must be treated as wanting in due process. But the proposition disregards the fact that in the very early history of the Government a progressive tax was imposed by Congress and that such authority was exerted in some if not all of the various income taxes enacted prior to 1894 to which we have previously adverted. And over and above all this the contention but disregards the further fact that its absolute want of foundation in reason was plainly pointed out in *Knowlton v. Moore*, supra, and the right to urge it was necessarily foreclosed by the ruling in that case made. In this situation it is, of course, superfluous to say that arguments as to the expediency of levying such taxes or of the economic mistake or wrong involved in their imposition are beyond judicial cognizance. Besides this demonstration of the want of merit in the contention based upon the progressive feature of the tax, the error in the others is equally well established either by prior decisions or by the adequate bases for classification which are apparent on the face of the assailed provisions; that is, the distinction between individuals and corporations, the difference between various kinds of corporations, etc. (*Knowlton v. Moore*, supra; *Flint v. Stone Tracy Co.*, supra; *Billings v. United States*, supra; *National Bank v. Commonwealth* (9 Wall., 353); *National Safe Deposit Co. v. Illinois* (232 U. S., 58, 70). In fact, comprehensively surveying all the contentions relied upon, aside from the erroneous construction of the amendment which we have previously disposed of, we can not escape the conclusion that they all rest upon the mistaken theory that although there be differences between the subjects taxed, to differently tax them transcends the limit of taxation and amounts to a want of due process, and that where a tax levied is believed by one who resists its enforcement to be wanting in wisdom and to operate injustice, from that fact in

the nature of things there arises a want of due process of law and a resulting authority in the judiciary to exceed its powers and correct what is assumed to be mistaken or unwise exertions by the legislative authority of its lawful powers, even although there be no semblance of warrants in the Constitution for so doing.

"We have not referred to a contention that because certain administrative powers to enforce the act were conferred by the statute upon the Secretary of the Treasury, therefore it was void as unwarrantedly delegating legislative authority, because we think to state the proposition is to answer it. *Field v. Clark* (143 U. S., 649); *Buttfield v. Stranahan* (192 U. S., 470, 496); *Oceanic Steam Navigation Co. v. Stranahan* (214 U. S., 320)."

Affirmed.

Mr. Justice McReynolds took no part in the consideration and decision of this case.

#### CHANGE OF REFERENCE—H. R. 391.

Mr. NORTON. Mr. Speaker, I ask unanimous consent for a change of reference of the bill H. R. 391, from the Committee on Agriculture to the Committee on Banking and Currency.

The SPEAKER. What is it about?

Mr. NORTON. It is a bill relating to rural credits.

The SPEAKER. The gentleman from North Dakota asks unanimous consent that the bill H. R. 391, on rural credits, be taken from the Committee on Agriculture and referred to the Committee on Banking and Currency. Is there objection?

There was no objection.

#### ADJOURNMENT.

The SPEAKER. The gentleman from New York [Mr. Fitzgerald] moves that the House adjourn. The question is on agreeing to that motion.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned until to-morrow, Wednesday, January 26, 1916, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting a memorandum by the Chief of Staff, relative to the modification of the legislative provision covering the employment of skilled draftsmen in the office of the Chief of Ordnance of the Army, contained on page 72 of the Book of Estimates for the fiscal year 1917 (H. Doc. No. 614); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Savannah River, at Augusta, Ga., between the upper lines of the city limits of the city of Augusta and the mouth of Butlers Creek (H. Doc. No. 615); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

3. A letter from the Secretary of War, submitting suggestions for amendment of H. R. 8499, directing the Secretary of War to transfer to the Secretary of the Navy a dredge from the Panama Canal for use at Guam (H. Doc. No. 616); to the Committee on Military Affairs and ordered to be printed.

4. A letter from the Secretary of the Navy, submitting an amendment to estimates of appropriations for "Salaries, Bureau of Ordnance, Navy Department, 1917" (H. Doc. No. 617); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, submitting an item of legislation to enable the department to pay claims reopened and allowed, in suits to recover excise taxes paid under the act of August 5, 1909 (H. Doc. No. 618); to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HARDY, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 4786) to provide for the appointment of certain assistant inspectors, Steamboat-Inspection Service, at ports where they are actually performing duty, but to which they are at present detailed, reported the same with amendment, accompanied by a report (No. 67), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 193) to provide for the care and treatment of persons afflicted with leprosy and to prevent the spread of leprosy in the United States, reported the same with amendment, accompanied by a report (No. 74), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LEWIS, from the Committee on Labor, to which was referred the bill (H. R. 6871) to limit the effect of the regulation of interstate commerce between the States in goods, wares, and merchandise wholly or in part manufactured, mined, or produced by convict labor or in any prison or reformatory, reported the same without amendment, accompanied by a report (No. 75), which said bill and report were referred to the House Calendar.

Mr. JONES, from the Committee on Insular Affairs, to which was referred the bill (H. R. 9533) to provide a civil government for Porto Rico, and for other purposes, reported the same without amendment, accompanied by a report (No. 77), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. PETERS, from the Committee on Claims, to which was referred the bill (H. R. 4530) for the relief of Michael F. O'Hare, reported the same with amendment, accompanied by a report (No. 68), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 4881) to reimburse the postmaster at Kegg, Pa., for money and stamps taken by burglars, reported the same without amendment, accompanied by a report (No. 69), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 8318) for the relief of De Barbieri & Co., of Valparaiso, Chile, reported the same without amendment, accompanied by a report (No. 70), which said bill and report were referred to the Private Calendar.

Mr. MILLER of Delaware, from the Committee on Claims, to which was referred the bill (H. R. 5835) for the relief of James Stanton, reported the same with amendment, accompanied by a report (No. 71), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 7248) for the relief of the United States Drainage & Irrigation Co., reported the same without amendment, accompanied by a report (No. 72), which said bill and report were referred to the Private Calendar.

Mr. RUSSELL of Missouri, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 10037) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported the same without amendment, accompanied by a report (No. 76), which said bill and report were referred to the Private Calendar.

#### ADVERSE REPORTS.

Under clause 2 of Rule XIII,

Mr. MILLER of Delaware, from the Committee on Claims, to which was referred the bill (H. R. 2819) for the relief of Francis H. Connelly, reported the same adversely, accompanied by a report (No. 73), which said bill and report were laid on the table.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 1436) granting a pension to Francis I. Helm, alias Francis Boyd; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2784) granting a pension to Charles Diesron; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3962) granting an increase of pension to John J. Stanley; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7147) granting an increase of pension to William C. Ramsey; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. McKELLAR: A bill (H. R. 10012) regulating shipments of freight to foreign ports and prohibiting discrimination in the receipt and shipment of such freight; to the Committee on Interstate and Foreign Commerce.

By Mr. EDMONDS: A bill (H. R. 10013) to provide for the licensing of American boys at the age of 19 years; to the Committee on the Merchant Marine and Fisheries.

By Mr. TAGUE: A bill (H. R. 10014) to grant official recognition to the organizations of employees in the Postal Service; to the Committee on the Post Office and Post Roads.

By Mr. FLOOD: A bill (H. R. 10015) for the adjudication and determination of the claims arising under joint resolution of July 14, 1870, authorizing the Postmaster General to continue in use in the Postal Service Marcus P. Norton's combined post-marking and stamp-canceling hand-stamp patents or otherwise; to the Committee on the Post Office and Post Roads.

By Mr. ALEXANDER: A bill (H. R. 10016) to amend section 14 of the seamen's act of March 4, 1915; to the Committee on the Merchant Marine and Fisheries.

By Mr. TAGGART: A bill (H. R. 10017) to amend section 5146 of the Revised Statutes of the United States; to the Committee on Banking and Currency.

By Mr. JOHNSON of Washington: A bill (H. R. 10018) to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Mount Rainier National Park, and for other purposes; to the Committee on the Public Lands.

By Mr. HEATON: A bill (H. R. 10019) for the remodeling of the United States Federal building at Pottsville, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. CARY: A bill (H. R. 10020) regulating the compensation of stationary firemen employed in Federal Government buildings in the United States; to the Committee on Expenditures on Public Buildings.

Also, a bill (H. R. 10021) to amend section 715 of the Revised Statutes, as amended by act of Congress of March 3, 1905; to the Committee on the Judiciary.

By Mr. KREIDER: A bill (H. R. 10022) authorizing the Secretary of War to donate to the city of Lebanon, in the State of Pennsylvania, four bronze cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. FESS: A bill (H. R. 10023) authorizing the Secretary of War to donate condemned cannon and cannon balls to the village of Jeffersonville, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 10024) authorizing the Secretary of War to donate condemned cannon and cannon balls to the village of Bellbrook, Ohio; to the Committee on Military Affairs.

By Mr. CARY: A bill (H. R. 10025) to create an athletic commission and to legalize boxing in the District of Columbia; to the Committee on the District of Columbia.

By Mr. LOUD: A bill (H. R. 10026) to amend sections 2, 13, and 14 of an act entitled "An act to promote the welfare of American seamen," etc., approved March 4, 1915; to the Committee on the Merchant Marine and Fisheries.

By Mr. MAYS: A bill (H. R. 10028) to amend section 1 of the act to regulate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. TRIBBLE: A bill (H. R. 10029) to repeal an act entitled "An act to regulate and improve the civil service of the United States"; to the Committee on the Judiciary.

By Mr. WHEELER: A bill (H. R. 10030) for the reduction of the rate of postage chargeable on first-class mail matter for local delivery; to the Committee on the Post Office and Post Roads.

By Mr. PORTER: A bill (H. R. 10031) authorizing and directing the managers of the soldiers' homes to designate and set aside one of the homes for the exclusive use of the widows of soldiers and sailors; to the Committee on Military Affairs.

Also, a bill (H. R. 10032) to authorize the construction of a bridge across the Ohio River from a point on its banks, in the city of Pittsburgh, Pa., at or near the locality known as Woods Run, to a point on the opposite shore of said river within the borough of McKees Rocks, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAMTON: A bill (H. R. 10033) to amend an act entitled "An act to reduce tariff duties and to provide revenues for the Government, and for other purposes," approved October 3, 1913; to the Committee on Ways and Means.

Also, a bill (H. R. 10034) to amend an act entitled "An act to reduce tariff duties and to provide revenues for the Government, and for other purposes," approved October 3, 1913; to the Committee on Ways and Means.

Also, a bill (H. R. 10035) to amend an act entitled "An act to reduce tariff duties and to provide revenues for the Government, and for other purposes," approved October 3, 1913; to the Committee on Ways and Means.

By Mr. BLACKMON: A bill (H. R. 10036) to construct a public building for a post office in the city of Sylacauga, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. LANGLEY: A bill (H. R. 10038) to amend an act entitled "An act to increase the pensions of widows, minor children, etc., of deceased soldiers and sailors of the late Civil War, the War with Mexico, the various Indian wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late Civil War," approved April 19, 1908; to the Committee on Invalid Pensions.

By Mr. AYRES: Resolution (H. Res. 104) asking for the appointment of five Members to investigate the Yucatan Sisal Trust; to the Committee on Rules.

By Mr. SCOTT of Pennsylvania: Joint resolution (H. J. Res. 118) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. Sisson: Joint resolution (H. J. Res. 119) directing the Attorney General of the United States to submit to the Supreme Court all information available bearing upon the validity of the fourteenth and fifteenth amendments to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. EDMONDS: Concurrent resolution (H. Con. Res. 12) providing for the printing of 10,000 copies of the report of the medico-military aspects of the European war; to the Committee on Printing.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. RUSSELL of Missouri: A bill (H. R. 10037) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee of the Whole House.

By Mr. ALEXANDER: A bill (H. R. 10039) granting a pension to William B. Hampshire; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10040) granting an increase of pension to Hepsiba Fisk; to the Committee on Invalid Pensions.

By Mr. ALMON: A bill (H. R. 10041) granting an increase of pension to Fredrick F. Pfaff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10042) granting an increase of pension to Charles M. Stebbins; to the Committee on Pensions.

Also, a bill (H. R. 10043) granting a pension to Hugh G. Smelcer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10044) granting a pension to Robert G. Sharp; to the Committee on Invalid Pensions.

By Mr. BROWNE of Wisconsin: A bill (H. R. 10045) granting an increase of pension to Alfred S. Gates; to the Committee on Invalid Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 10046) granting a pension to Thomas J. Reynolds; to the Committee on Pensions.

Also, a bill (H. R. 10047) granting a pension to Ortha A. Glanville; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 10048) granting an increase of pension to Prudie Duncan; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 10049) for the relief of Capt. Harvey H. Young; to the Committee on Military Affairs.

By Mr. CULLOP: A bill (H. R. 10050) granting a pension to John H. Yount; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10051) granting a pension to Miner Howard; to the Committee on Pensions.

Also, a bill (H. R. 10052) to reimburse J. T. Nance; to the Committee on Claims.

By Mr. FARR: A bill (H. R. 10053) granting a pension to William A. Phillips; to the Committee on Pensions.

By Mr. FLOOD: A bill (H. R. 10054) for the relief of the estate of R. W. Elsom; to the Committee on Claims.

By Mr. GANDY: A bill (H. R. 10055) granting a pension to Franklin R. Albert; to the Committee on Pensions.

Also, a bill (H. R. 10056) granting an increase of pension to Ansel T. Ware; to the Committee on Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 10057) granting a pension to Carolina Dollen; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 10058) to increase the provisions of an act granting lands to aid in the construction of certain railroads and telegraph lines in the State of California, approved July 25, 1866, and its amendments; to the Committee on the Public Lands.

By Mr. HELVERING: A bill (H. R. 10059) granting an increase of pension to Frederick Volkman; to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 10060) granting a pension to Edith V. Bowman; to the Committee on Pensions.

By Mr. KELLEY: A bill (H. R. 10061) granting a pension to Schuyler Van Tassel; to the Committee on Pensions.

Also, a bill (H. R. 10062) granting a pension to Joseph F. Mattson; to the Committee on Pensions.

By Mr. LINTHICUM: A bill (H. R. 10063) to satisfy the findings of the Court of Claims in the claim of Annie M. Bradshaw, Beulah B. Dingle, Clara Belle Bergeron, and George William Bradshaw, heirs of William H. Bradshaw, deceased; to the Committee on Claims.

By Mr. LITTLEPAGE: A bill (H. R. 10064) granting a pension to J. E. Haws; to the Committee on Pensions.

By Mr. MEEKER: A bill (H. R. 10065) granting a pension to George C. Emmert; to the Committee on Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 10066) granting an increase of pension to Eliza Smith; to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 10067) for the relief of Mrs. Thomas S. Ferral; to the Committee on War Claims.

By Mr. OAKLEY: A bill (H. R. 10068) granting an increase of pension to Julia Rosenthal; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 10069) for the relief of Mary Ella Fales; to the Committee on Claims.

Also, a bill (H. R. 10070) granting a pension to Henry Matteson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10071) granting a pension to Mary Matteson; to the Committee on Invalid Pensions.

By Mr. PORTER: A bill (H. R. 10072) granting a pension to Frederick M. Hohmann; to the Committee on Pensions.

Also, a bill (H. R. 10073) granting a pension to J. George Mehringer; to the Committee on Pensions.

Also, a bill (H. R. 10074) granting a pension to Henry Jordan; to the Committee on Pensions.

Also, a bill (H. R. 10075) granting a pension to Bradford S. Donahugh; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 10076) granting a pension to Peter Dell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10077) granting an increase of pension to Azariah Rankin; to the Committee on Invalid Pensions.

By Mr. ROBERTS of Massachusetts: A bill (H. R. 10078) granting a pension to Harry A. Leonard; to the Committee on Pensions.

Also, a bill (H. R. 10079) granting a pension to Charles H. Avery; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 10080) granting an increase of pension to James Robinson; to the Committee on Invalid Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 10081) granting a pension to Thomas E. Rector; to the Committee on Pensions.

By Mr. SHERWOOD: A bill (H. R. 10082) granting an increase of pension to George S. Griffin; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 10083) for the relief of the members of the American section of the International Waterways Commission; to the Committee on Claims.

By Mr. SMITH of Texas (by request): A bill (H. R. 10084) for the relief of Sarah Jane Thornton; to the Committee on Claims.

By Mr. SUTHERLAND: A bill (H. R. 10085) for the relief of James Johnson; to the Committee on Military Affairs.

By Mr. TAGGART: A bill (H. R. 10086) granting an increase of pension to Aaron Hess; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 10087) granting an increase of pension to Aaron A. Long; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10088) granting an increase of pension to Sanford R. Bryant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10089) granting an increase of pension to Stephen F. Cassaday; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10090) granting an increase of pension to John S. Tanner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10091) granting an increase of pension to Helen Dannat; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10092) granting an increase of pension to Joseph G. Austin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10093) granting an increase of pension to George T. Talley; to the Committee on Pensions.

Also, a bill (H. R. 10094) granting a pension to Sallie F. Oates; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10095) granting a pension to Belle Shannon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10096) granting a pension to Nannie Z. Penrod; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10097) granting a pension to Eugene Wooten; to the Committee on Pensions.

Also, a bill (H. R. 10098) granting an increase of pension to Joseph A. Whalin; to the Committee on Pensions.

By Mr. TILSON: A bill (H. R. 10099) granting an increase of pension to Frances C. McDonough; to the Committee on Invalid Pensions.

By Mr. WATKINS: A bill (H. R. 10100) granting an increase of pension to Andrew G. Scott; to the Committee on Invalid Pensions.

By Mr. THOMAS S. WILLIAMS: A bill (H. R. 10101) granting an increase of pension to Louisa J. Puckett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10102) granting an increase of pension to Josiah Kenison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10103) granting an increase of pension to Elias Culbreth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10104) granting an increase of pension to Henry C. McMullen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10105) granting an increase of pension to Josiah Shoemaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10106) granting an increase of pension to Sarah C. Yarborough; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10107) granting an increase of pension to Judy A. Turley; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Evidence to accompany House bill 6489, for relief of Melchior Weller; to the Committee on Invalid Pensions.

By Mr. AYRES: Petitions of citizens of Rose Hill and Wellington, Kans., protesting against revenue stamps on bank checks; to the Committee on Ways and Means.

By Mr. BROWNING: Petition of Salisbury Worsted Mills, of Camden, N. J., favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. CAMPBELL: Petitions of depositors in the banks of Kansas, protesting against revenue stamps on bank checks; to the Committee on Ways and Means.

By Mr. CARY: Petition of Milwaukee Division, No. 46, Order of Railway Conductors, favoring printing report of Industrial Relations Commission; to the Committee on Printing.

Also, petition of Wisconsin Chapter of the American Institute of Architects, protesting against House bill 743, for building for Department of Justice; to the Committee on Public Buildings and Grounds.

By Mr. CLARK of Florida: Petition of John Cook and many other citizens of the State of Florida, asking the passage of legislation similar to that provided in House bill 5308 in the Sixty-third Congress; to the Committee on the Judiciary.

By Mr. DALE of New York: Memorial of Buffalo (N. Y.) Chamber of Commerce, relative to urging Board of Engineers of the United States Army to report in favor of making a survey of the entrance of the Buffalo River; to the Committee on Rivers and Harbors.

Also, petition of Hedwig A. F. Kosbob, of Cleveland, Ohio, favoring passage of the Workmen's compensation act, H. R. 476; to the Committee on the Judiciary.

Also, petition of B. Niccoll & Co., of New York City, relative to exemption from compulsory State pilotage of barges operated in inland waterways in tow of steam tugs; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Stockton Chamber of Commerce, relative to railway-mail pay; to the Committee on the Post Office and Post Roads.

Also, petition of the Merchants Association of New York, relative to development of really important waterways of New York City and State; to the Committee on Rivers and Harbors.

By Mr. DANFORTH: Petitions of Business Men of the thirty-ninth congressional district of New York, favoring a tax on mail-order houses; to the Committee on Ways and Means.

By Mr. DARROW: Petition of Gen. Herry C. Egbert Camp, No. 42, United Spanish War Veterans of Germantown, Philadelphia, favoring pensions for widows and minor children of Spanish War Veterans; to the Committee on Pensions.

Also, petitions of John R. Marlin Council, No. 20, Junior Order United American Mechanics; Fred. M. Wagner Council, No. 185, Junior Order United American Mechanics, of Philadelphia, and State Council of Pennsylvania, Junior Order United American Mechanics, favoring passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. DRUKKER: Petitions of Fred Schofield, Henry Clark, and William H. Marnes, of New Jersey, favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. DYER: Petitions of Captain M. M. Marvin Camp, No. 95, Department of New York, United Spanish War Veterans, of Walton, N. Y.; General Joe Wheeler Camp, No. 12, United Spanish War Veterans; William H. Hubbell Camp, No. 4, Department of New York, United Spanish War Veterans, favoring pensions for widows; to the Committee on Pensions.

Also, petitions of Warner D. Crouch Camp, No. 77, United Spanish War Veterans, McLeansboro, Ill.; S. A. Valentine Camp, No. 31, Department of Michigan, United Spanish War Veterans; Barry E. Brown Camp, No. 11, United Spanish War Veterans, favoring pensions for widows; to the Committee on Pensions.

Also, petition of National Indian War Veterans, favoring pensions equal to soldiers of other wars; to the Committee on Pensions.

Also, petition of City Council of Rock Island, Ill., favoring passage of House bill No. 54, for pensions for widows of Spanish War Veterans; to the Committee on Pensions.

By Mr. ELSTON: Memorial of Stockton (Cal.) Chamber of Commerce, relative to railway-mail pay; to the Committee on the Post Office and Post Roads.

By Mr. ESCH: Petition of Stockton Chamber of Commerce, relative to railway-mail pay; to the Committee on the Post Office and Post Roads.

Also, petitions of Fred A. Bean and 28 others of Toma and G. E. Fox and 28 others of Wonevow, Wis., favoring passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. FLYNN: Petition of the Public Forum of the Church of the Ascension, of New York, favoring the child-labor bill; to the Committee on Labor.

Also, petition of A. K. Gleason, of New York, favoring tax on dyestuffs; to the Committee on Ways and Means.

Also, memorial of Stockton (Cal.) Chamber of Commerce, relative to railway mail pay; to the Committee on the Post Office and Post Roads.

Also, petition of Cigarmakers' Union, No. 149, relative to motion to convene a congress of neutral nations; to the Committee on Foreign Affairs.

By Mr. FREEMAN: Memorial of Stratford (Conn.) Woman Suffrage Association, favoring passage of the child-labor bill; to the Committee on Labor.

Also, petitions of the Mystic Manufacturing Co., of Mystic; Somerville Manufacturing Co., of Somerville; Gardiner Hall, jr., Co., of South Willington; Blissville Mills, of Norwich, all in the State of Connecticut, favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. FULLER: Petition of citizens of Ottawa, Ill., favoring tax on mail-order houses; to the Committee on Ways and Means.

Also, petition of Stockton Chamber of Commerce, relative to railway mail pay; to the Committee on the Post Office and Post Roads.

Also, petition of Illinois Society of the Revolution, favoring preparedness; to the Committee on Military Affairs.

By Mr. GARNER: Petitions of business men of Scheetz, Tex., favoring tax on mail-order houses; to the Committee on Ways and Means.

Also, petition of citizens of Webb County, Tex., protesting against preparedness; to the Committee on Military Affairs.

By Mr. GOOD: Petitions of business men of the fifth congressional district of Iowa, favoring tax on mail-order houses; to the Committee on Ways and Means.

By Mr. HILL: Petition of Whitney Blake Co., of New Haven, Conn., favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. HINDS: Petition of Forest Mills, of Bridgton, Me., favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. IGOE: Memorial of L. K. Robbins, of St. Louis, Mo., on national preparedness; to the Committee on Military Affairs.

By Mr. KALANIANAOLE: Memorial of Civic Convention of Hawaii, favoring the construction of a breakwater at Nawili-

wili and an appropriation by Congress to cover cost of same; to the Committee on Rivers and Harbors.

Also, memorial of Chamber of Commerce of Honolulu, favoring the establishment of military-training camps in all States and Territorial possessions of the United States; to the Committee on Military Affairs.

Also, memorial of Chamber of Commerce of Honolulu, favoring the creation of a body of experts to study and make a scientific report on their finding; to the Committee on Ways and Means.

By Mr. KELLEY: Petition of Gov. W. N. Ferris, of Michigan, and others, indorsing the plan for the prevention and real cause of international wars, prepared by Homer L. Boyle, of Lansing, Mich.; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: Petition of Wilkins Manufacturing Co., of Woonsocket, R. I., favoring tax on dyestuffs; to the Committee on Ways and Means.

Also, petition of Anchor Webbing Co., of Woonsocket, R. I., favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. KIESS of Pennsylvania: Evidence in support of House bill 8148, for the relief of Ola Smith; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 9087, for the relief of Henry Fleisher; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 1723, for the relief of Richard Van Dusen; to the Committee on Invalid Pensions.

By Mr. LAFEAN: Petition of Stockton Chamber of Commerce, relative to efficiency and equitableness of mail rates; to the Committee on the Post Office and Post Roads.

By Mr. LEWIS: Petition by Santiago Inglesias, president of the Free Federation of Workingmen of Porto Rico, on behalf of the federation, asking for an investigation of industrial conditions on the island of Porto Rico; to the Committee on Labor.

Also, memorial by Sandy Spring monthly meeting of Friends, opposing any increase of armament by the United States; to the Committee on Military Affairs.

By Mr. LOUD: Petition of L. R. Simpson, of Bay City, Mich., protesting against Federal censorship of motion-picture films; to the Committee on Education.

By Mr. MATTHEWS: Petition against the exportation of arms and ammunition from this country to any nation of Europe now at war; to the Committee on Military Affairs.

By Mr. McFADDEN: Petition of Hartley Silk Manufacturing Co., of Towanda, Pa., favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. MEEKER: Petitions of seven citizens of St. Louis, Mo., protesting against passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of veterans of the Indian wars, favoring passage of bill to pension the few Indian war veterans the same as other war veterans; to the Committee on Pensions.

Also, petition of 71 members of First Infantry, National Guard of Missouri, all of St. Louis, Mo., favoring passage of the militia pay bill; to the Committee on Military Affairs.

Also, petitions of Grand Lodge Progressive Order, composed of 20,000 members; Young Men's and Ladies' Hebrew Charity Society; Chesed Shel Emith Society, composed of 1,000 members; Rabbi Bernhard A. Moritz, in the name of 60,000 Jews; Nathan Frank Lodge, No. 87; Beth Israel Lodge, No. 228; Jewish National Workers; Alliance Sholom Aleichem, Branch 17; United Jewish Educational and Charitable Associations; Polish Immigration League; Polish National Alliance; Polish Roman Catholic Union; Polish Women's Alliance; Polish Alma Mater; Polish Falcons Alliance; Polish Daily News; Polish National Daily; Polish Alliance Daily; the Polish Nation; and a number of other citizens, all of St. Louis, Mo., urgently protesting against the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petitions of Metal Trades Council of St. Louis and vicinity; Mound City Lodge, No. 3, State of Missouri; International Brotherhood of Electrical Workers, Local Union No. 2; Sheet Metal Workers Local Union No. 36; Brewery Engineers Union No. 246; Amalgamated Meat Cutters and Butcher Workmen, Local Union No. 88, representing a membership of 618, all of St. Louis, Mo., and also a number of other citizens of St. Louis, Mo., praying for the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petitions of City Forestry Union 14851; Painters Local Union No. 137; International Hod Carriers Union No. 240; Stove Mounters International Union No. 86; Boot and Shoe Workers Union; Wood, Wire, and Metal Lathers International Union No. 73; Brotherhood of Painters, Decorators and Paperhangers, No. 46; the Commercial Telegraphers Union No. 3, all of St. Louis, Mo., praying for the passage of the

Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. MILLER of Delaware: Evidence in support of House bill 9004, granting an increase of pension to Julia W. Simpson; to the Committee on Invalid Pensions.

By Mr. MOORE of Pennsylvania: Petitions of Herman Held, Max Schneider, Peter Dorsam, and others, of Philadelphia, Pa., favoring embargo on munitions; to the Committee on Foreign Affairs.

Also, petition of D. F. Waters, of Germantown Dye Works, favoring tariff on dyestuffs; to the Committee on Ways and Means.

By Mr. MORIN: Memorial of Capt. Alfred E. Hunt Camp, No. 1, Department of Pennsylvania, favoring legislation granting relief to widows and orphans of veterans of the Spanish-American War; to the Committee on Invalid Pensions.

Also, memorial of the Traffic Club of New York, urging immediate repeal of the seaman's act; to the Committee on the Merchant Marine and Fisheries.

Also, petitions of James R. Miller and Margaret S. Patton, in favor of the passage of the Keating-Owen child-labor bill; to the Committee on Labor.

Also, petition of C. K. S., favoring the Keating-Owen child-labor bill; to the Committee on Labor.

By Mr. PAIGE of Massachusetts: Papers in support of House bill 9997, relative to Charles P. Morse; to the Committee on Military Affairs.

By Mr. PRATT: Petition of Mr. Harry S. Houghton, of Elmira Heights, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Gard W. Ford, of Hornell, N. Y., protesting against preparedness; to the Committee on Military Affairs.

By Mr. ROBERTS of Massachusetts: Evidence to accompany bill granting a pension to Harry A. Leonard; to the Committee on Pensions.

Also, evidence in support of bill granting a pension to Charles H. Avery; to the Committee on Invalid Pensions.

By Mr. ROWE: Memorial of American Federation of Labor at San Francisco, Cal., protesting against repeal of the seamen's law; to the Committee on the Merchant Marine and Fisheries.

Also, petition of piano manufacturers of New York City, favoring the Stevens standard-price bill; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Texas: Petition of Frank Cheatham Camp, No. 314, United Confederate Veterans, at Breckinridge, Tex., favoring pensions for Confederate veterans and widows of same; to the Committee on Pensions.

By Mr. STEDMAN: Petition of employees of Amazon Cotton Mills, of Thomasville, N. C., protesting against child-labor bill; to the Committee on Labor.

By Mr. STEPHENS of California: Memorial of the State Board of Education of California, approving the policy of extending national aid to the various States for the purpose of assisting them in providing opportunities for vocational education to those individuals who anticipate entering or who have already entered the occupations of agriculture, trade, industry, commerce, and home making, and favoring the passage of the measure generally known as the Page bill, and introduced in the Senate of the United States by Senator SMITH of Georgia at the second session of the Sixty-third Congress; to the Committee on Agriculture.

Also, petition of Home Industry League of California, favoring preparedness; to the Committee on Military Affairs.

Also, petition of F. R. Fancher, of Redondo Beach, Cal., protesting against any bill seeking to establish a Federal censorship of motion pictures; to the Committee on Education.

Also, memorial of Los Angeles County Woman's Christian Temperance Union, against preparedness; to the Committee on Military Affairs.

By Mr. TINKHAM: Petition of Commissioner H. J. Skeffington, favoring an appropriation for the building of an immigrant station at the port of Boston; to the Committee on Public Buildings and Grounds.

Also, petition of sundry firms of the State of Massachusetts, favoring legislation protecting the manufacture of dyestuffs and munitions of war; to the Committee on Ways and Means.

By Mr. THOMAS: Memorial of District No. 23, United Mine Workers of America, asking publication of full report of Industrial Relations Commission; to the Committee on Printing.

Also, memorial of District No. 23, United Mine Workers of America, protesting against preparedness; to the Committee on Military Affairs.

## SENATE.

WEDNESDAY, January 26, 1916.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we know that Thou hast so constituted human life as that good may be brought out of every ill. Where sin has abounded grace hath much more abounded. Amid the conflict, the chaos, and the strife of the world which afflict our ears every day, telling the story of suffering and oppression, we pray that at least we may by our generous response and our hearty brotherhood gain the friendship of those who are distressed and gain for ourselves the sweet satisfaction of a blessed service.

We pray Thy blessing upon the generous offerings of this people poured upon the altar of humanity, that they may have the approval and the blessing of the Divine One upon them all, and through our service may we learn where honor is, the honor of a great nation like ours. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

## EDITORIAL ON MEXICAN SITUATION.

Mr. WORKS. Mr. President, I have here an editorial from the Evening Express, of Santa Barbara, Cal., on the Mexican situation. It is a very temperate and dispassionate statement of the conditions, and as it is both interesting and instructive I should like to have it printed in the Record.

Mr. SMOOT. I did not hear the request of the Senator from California. What is the paper?

Mr. WORKS. I request to have printed in the Record an editorial from the Santa Barbara Express on the Mexican situation.

Mr. SMOOT. Mr. President, I gave notice some time ago that I thought the time had arrived when editorials from newspapers on matters of this kind should be kept out of the Record. I do not know whether this is the time I should insist upon that course, but I want to say to the Senator that I am having figured up the amount of pages in the Record taken up by newspaper and magazine articles to show the percentage of the pages of the Record of such items. I will know in a day or two what that percentage is up to date; but I am quite certain the Record contains at least half of matter that has never been read or uttered in either House of Congress. I think the practice is being abused greatly, and if the Senator does not really think that the printing of this editorial in the Record is necessary, I should like very much to have him withdraw the request.

Mr. WORKS. Mr. President, I have received a great many articles from newspapers that ought not to go into the Record at all. It was because of the nature of this particular editorial, which is very temperate in character and which I think would be instructive, that I have asked it may be printed in the Record. It is not one calculated to arouse the passion of the country. I think it is quite unwise to put in matters of that kind.

I would be glad if the Senator from Utah would look at it and see if he will not change his opinion as to printing it at the present time. If the Senator, or any other Senator, has serious objection after reading the editorial, of course I shall not ask to have it printed.

Mr. SMOOT. With that understanding, I shall not object. I want to see what it is.

Mr. STONE. Does it go in?

The VICE PRESIDENT. That is what the Chair wants to know, whether it goes in the Record or is left to the Senator from Utah to determine.

Mr. STONE. Mr. President, I am entirely in sympathy with what the Senator from Utah has stated and with his declared purpose to object. I do not think we ought to have a mass of newspaper editorials and matters of that kind put into the Record. No one ever reads them, or very few. It is not very informing and it is expensive. It simply gives to such a paper the right of the franking privilege. If the Senator from Utah does not object, I shall myself, in pursuance of the notice I gave some time ago.

Mr. SMOOT. I object at this time to printing the article in the Record.

Mr. GALLINGER. Mr. President—

Mr. WORKS. I reserve the right to use it at some other time, and I withdraw the request for the present.

Mr. GALLINGER. I was about to remark, if the Senator will permit me, that the objection will hold until the Senator who offered it or some other Senator will read it to the Senate, and then it will go into the Record. That is about all an objection amounts to.